



OVERVIEW & SCRUTINY COMMITTEE

MINUTES of the OPEN section of the meeting of the OVERVIEW & SCRUTINY COMMITTEE held on 13TH OCTOBER 2003 at 7.00 P.M. at the Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Councillor Kim HUMPHREYS (Chair)
Councillors John FRIARY, Eliza MANN, Neil WATSON, Anne YATES, Gavin O'BRIEN [Reserve] and Dora DIXON-FYLE [Reserve].

OFFICER David Baachas – Environmental Health
SUPPORT: Shelley Burke – Head of Overview & Scrutiny
Steve Callaghan – Principal Engineer, Environment & Leisure [Highways]
Glen Egan – Assistant Borough Solicitor, Community Services
Tim England – Environmental Health
Amanda Hirst - Head of Communications & Consultation
Ian Hughes – Head of Corporate Strategy
Alan Layton – Head of Corporate & Strategic Finance
Lucas Lundgren – Scrutiny Team
Sarah Naylor – Assistant Chief Executive, Performance & Strategy

APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Barrie HARGROVE and Linda MANCHESTER and from Mrs Josie Spanswick. Apologies for lateness were received from Councillor Andy Simmons.

CONFIRMATION OF VOTING MEMBERS

The Members listed as being present were confirmed as the Voting Members.

NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMED URGENT

The Chair agreed to accept the following items as late and urgent for the reasons set out in the reports/presentations, i.e.

Open Business [Agenda Part A]

- Item 1: **Scrutiny: Review of Thames Water's Response to Failure of Water Supply in Southwark**
- Briefing paper outlining the Council's Emergency Response to incident, and concerns arising [Head of Administrative Services]
 - Correspondence from Thames Water to customers, updating on incident and subsequently on restoration of supply [Thames Water Chief Operating Officer]

Item 3: Scrutiny: Southwark's Complaints Handling

- Report addressing specific questions arising from previous scrutiny session [Head of Communications & Consultation]

Item 5: Scrutiny: Charter School – Consideration of Draft Final Scrutiny Report

- Draft Final Scrutiny Report [officer notes]
- Final District Audit Report "Overview of Capital Project at the Charter School" [Audit Commission, October 2003]

DISCLOSURE OF INTERESTS AND DISPENSATIONS

No disclosures of interest were made, nor dispensations notified.

RECORDING OF MEMBERS' VOTES

Council Procedure Rule 1.17(5) allows a Member to record her/his vote in respect of any motions and amendments. Such requests are detailed in the following Minutes. Should a Member's vote be recorded in respect to an amendment, a copy of the amendment may be found in the Minute File and is available for public inspection.

The Committee considered the items set out on the agenda, a copy of which has been incorporated in the Minute File. Each of the following paragraphs relates to the item bearing the same number on the agenda.

MINUTES

RESOLVED: That the Minutes of the open section of the meeting held on 15th September 2003 be agreed as a correct record of the proceedings and signed by the Chair.

1. **SCRUTINY: REVIEW OF THAMES WATER'S RESPONSE TO FAILURE OF WATER SUPPLY IN SOUTHWARK** [see pages 1-2 & 52-53]

The Head of Overview & Scrutiny introduced the item and the draft Project Brief, proposing scrutiny be undertaken over three sessions as follows, i.e.

13/10/03 - first session. Receive evidence from Southwark's Environmental Health Officers and Council position statement in respect of situation.

10/11/03 - second session. Meeting to be held at Goose Green School. Receive evidence from Thames Water and individuals/organisations affected.

15/12/03 – third and final session. Consideration of any recommendations in relation to situation and the authority's future emergency planning provision.

A position statement from the Emergency Planning Officer was circulated. Members were advised that the EPO received no reports of vulnerable constituents being without water during the incident, which might be considered positive in respect of the Council's response to the situation.

The Chair was concerned to ensure that the next meeting of the Committee was widely publicised within the community. The Head of Communications & Consultation was asked to provide support to this end.

Reference was made to the ongoing problems of low water pressure and maintenance of water mains, these issues particularly affecting certain estates in the South Camberwell ward.

Stephen Callaghan [Principal Engineer, Environment & Leisure – Highways]

Stephen Callaghan gave an account of the Council's response, and was invited to comment on that of Thames Water. He confirmed that the Council was onsite shortly after the situation began and liaised with Thames Water staff. However, information received by his officers from Thames Water differed from ground level assessments in respect of likely timescales for resolution. Thames Water estimated a 48 hour resolution, but in contrast operational staff estimated 3-4 days for resolution, possibly indicating a communication problem between strategic and operational TW staff.

In respect of whether emergency standpipes and water tanks had been appropriately sited, and an allegation that Southwark Highways staff had prevented TW siting tankers in East Dulwich on the basis of potential civil unrest, officers confirmed that advice had been sought from the Council in respect of tanker siting, but that no restrictions other than retaining access for emergency vehicles had been imposed. No officer would have refused to allow TW access for emergency tankers. Had difficulties arisen contact numbers had been provided for TW and as this was an emergency situation all requests for assistance were first routed through Des Waters, only subsequently being passed down through his staff.

Members were concerned about whether emergency standpipes and water tanks had been appropriately sited, who was responsible for selecting tanker sites, and why better information could not have been provided about their placement through the borough, for those living nearby. Members reported that residents were largely ignorant of the locations of their nearest alternative tankers when supplies were exhausted.

Officers believed that initially no information had been given by TW, all intelligence having been disseminated via word of mouth. The Council, however, had operated a hotline. Towards the end of the situation TW had supplied bottled water, but its distribution had been unsupervised and unexpected.

Members discussed the role of Neighbourhood Housing Offices in the dissemination of emergency information to residents, via correspondence, siting of notices in public areas, on billboards or at key travel terminuses in the borough.

At this stage in the meeting the Assistant Borough Solicitor advised all present who had been affected by the water supply crisis to declare a personal interest in this item.

Tim England [Environmental Health & Trading Standards]

Tim England suggested that TW's initial assessment of a short resolution time had prevented Southwark Council from taking more appropriate action earlier in the situation. Had TW given correct information, the authority could then have responded to the situation as it was in reality. In such situations, the authority would have closed food premises after 3-4 days without running water. He believed it was fortunate that no food poisoning crisis had been experienced.

Southwark's response to the water supply crisis was summarised as follows, i.e.

- Senior officers contacted TW's helpline for information and liaised with senior TW officers and were given the same information in respect of anticipated resolution times;
- The borough's hospitals were contacted to determine what alternative supplies/measures were in place;
- The authority responded to two complaint calls from constituents in respect of five food outlets, subsequently checking up on the measures these businesses had in place to cope with the situation;
- A Dulwich resident made a complaint, subsequently raised at Dulwich Community Council;
- Town Hall staff were advised to use alternative toilet facilities, or allowed to return home where toilet facilities were not available;

Head of Communications and Consultation

The Head of Communications and Consultation had received regular updates from Tony Denton [Thames Water] as the situation developed, including detailed justifications for the continued delays, yet acknowledged that communication shortfalls were apparent, including:

- Whilst TW's press office utilised local radio and national television to disseminate information about the situation, their website gave no information about the developing situation [the website serving only for *promotion* of services];
- Communication with local residents/customers was not timely, and the communication strategy was not consistent [M.P.s received updates but customers were not informed];
- There was an issue as to who TW should have contacted within LBS;
- TW's public contingency plan was not shared with Southwark Council.

Reportedly, the initial burst main had been re-routed through a second, which subsequently burst because of the resultant increase in pressure, leaving only a third main operational. The section of burst main was not replaceable from standard stock.

Whilst TW seemed to recognise their responsibility for disseminating information, implementation had not been effective and no contingency plan existed to update customers of progress towards resolution.

Member discussion ensued, from which the following points arose, i.e.

- In respect of the Council's future emergency response(s) a joint approach with utility companies should be agreed in advance, with the authority taking a proactive approach to planning for such situations.
- Members acknowledged the rarity of such emergency situations, but asked what the strategic London role of the London Mayor's Office / GLA was in respect of management and response ? There was significant risk of such incidences in the capital, but no impression of a London-wide strategy.
- Members discussed the matrix basis on which emergency plans usually operated, and the necessity of establishing and operating effective networks with organisations across any given matrix. Members suggested review of the emergency matrix and an assessment of how effectively organisations within the matrix access the network.

- In respect of concern about a possible repeat incidence, officers explained that where water mains were laid very shallow [as was the case in the Nunhead and East Dulwich area, a higher risk remained.
- Officers confirmed that pan-London dialogues were ongoing in respect of shared concerns about the capital's elderly water infrastructure. The Council was preparing an internal report on the matter.
- Members briefly shared anecdotal information about arrangements for compensation for customers, TW was to compensate all residents for two days lack of water service, across the board, as TW apparently could not reliably verify who had been affected or for what duration.

The Assistant Borough Solicitor advised Members that claiming compensation from TW did not constitute a prejudicial interest.

Members asked that officers ensure that all residents in blocks receive copies of this publication. AH offered to liaise with both distribution companies and the Post Office in respect of this matter.

The Chair thanked Steve Callaghan, David Baachas and Tim England for attending the meeting.

RESOLVED:

- 1) The Head of Communications and Consultation was asked to:
 - a) Advise Southwark News and the South London Press notifying of the scrutiny of Thames Water's response to the recent situation, and inviting resident input;
 - b) Issue a press release about the next meeting of this Committee at which the issue will be considered;
 - c) Use the new discussion forum on the Southwark website to start a discussion thread on the recent water supply failure as a means to gather evidence for the scrutiny Committee's review;
 - d) Write an article in the next issue of Southwark Life on the matter
- 2) That this Committee responds to Councillor Veronica Ward, acknowledging the ongoing problem of low water pressure within South Camberwell Ward and advising her of the focus of the current scrutiny;
- 3) That the Principal Engineer, Environment & Leisure – Highways provide a chronology of the recent water supply failure to this Committee;
- 4) That the Strategic Director of Housing be invited to the next meeting of this Committee to speak to Members in respect of his role in emergency planning, and in respect of the impact of the recent failure of water supply on housing management;
- 5) That at the next session, Thames Water be asked to comment on the depth of mains within Southwark, and the implications for future management of supply.

2. **DEVELOPING SCRUTINY – COMMUNICATION** [see pages 3-6]

The Head of Communications & Consultation introduced the report, explaining that development of scrutiny communications was ongoing.

She proposed the scrutiny of Thames Water's response to the recent failure in supply be used as a model for scrutiny communications initiatives. To encourage and facilitate public involvement the authority needed to reach out into the community through alternative approaches to information dissemination and meetings. Careful mapping of such activity was essential, to capture and take forward emerging best practice. There were currently only four Press Officers employed.

Members discussed ensuring a communications perspective at the point at which scrutiny work programmes were put together and during project brief scoping to assist in identification of topics particularly suited to community engagement, and appropriate strategies. Media strategies for each Sub-Committee might also be developed and implementation progress be reported back to Overview & Scrutiny Committee regularly.

Members acknowledged that much of the authority's initial scrutiny work had been introspective and that an increasingly outward, community focus should be encouraged in order to fully engage those directly affected by Council services. Those present acknowledged the importance of not raising the public's expectation of scrutiny unrealistically.

RESOLVED:

- 1) That the Head of Overview & Scrutiny circulate copies of the Camden Council report on scrutiny of utilities to Members of this Committee for information;
- 2) That the Council's Communications Unit officers meet with the Chairs of each scrutiny Sub-Committee to identify at least one item on their existing work programme for the development of a media strategy. That this be reported back to Overview & Scrutiny Committee by December 2003.

The Head of Corporate Strategy assured Members that community engagement already undertaken by scrutiny would be documented and the results be fed back into the organisational learning to inform future scrutiny practice.

The Head of Overview & Scrutiny asked for Member feedback on an example of a scrutiny review information leaflet provided by the GLA to the public and those interested in reviews. Whilst Members acknowledged that many Southwark reviews were not long-running and might not therefore lend themselves to this approach, they were in favour of the development of such information by the Scrutiny Team, including the possible use of illustrative case studies, a focus on the overall aims and objectives of reviews and necessary scrutiny process information.

Members noted that the Chair of Health & Social Care Scrutiny Sub-Committee had spoken to Bermondsey Community Council about scrutiny in general, and health scrutiny in particular.

RESOLVED:

- 1) That an A5 information flyer be produced to advertise the 10th November 2003 Overview & Scrutiny Committee meeting in

relation to the scrutiny of Thames Water, using similar paragraph headings as in the Greater London Assembly example;

- 2) That this Committee send representatives to the January 2004 meetings of Community Councils to outline the scrutiny function and work of the individual Sub-Committees. That officers liaise with the Community Council Co-ordinator and ensure that a powerpoint presentation be prepared for Members to use as a basis for individual presentations.

3. SCRUTINY: SOUTHWARK'S COMPLAINTS HANDLING [See pages 8-19]

The Head of Communications & Consultation introduced the item, explaining the context to the report. The range and complexity of complaints received varied greatly. The more complex was the complaint, the more time it might take to resolve. Time spent on complaints included contact with external organisations to gather further information on individual complaints, which could extend resolution times.

Southwark's departments now shared a common approach to complaints handling. Local resolution was always the aim, initially. Complainants remained able to complain directly to the Local Government Ombudsman.

In respect of the authority's average response time detailed in paragraph 7 of the report, the authority aimed to resolve complaints within 10 days. Members expressed surprise at Environment & Leisure department's longer response time detailed in the table at paragraph 7, and were assured that the department's longer response time was currently being investigated. In explanation the department received more complaints than others, but that a higher proportion of its complaints were resolved locally. Members were aware that resources available for complaints handling should be taken into account in analysis of the given figures. Environment & Leisure Department did not have the same capacity to deal with complaints as other parts of the authority, nor was there a well established complaints system.

In respect of paragraph 6 of the report, setting out the total number of complaint issues by department, Member comments that statistics for previous years were necessary for a meaningful analysis, and that more detailed breakdowns of directorate categories would be useful were acknowledged. It was noted that complaints about Council Tax and Housing Benefits still accounted for the largest proportion of Revenue & Benefits complaint, but that the number of these referred to the LGO had massively reduced.

Complaints logging and response times were vital to an effective complaints system. Members expressed ongoing concern with problems including: the difficulties universally experienced in getting through on the revenues and benefits telephone line and call-centre officers not having access to the relevant files to enable them to deal with customer problems.

In respect of customer satisfaction with complaints handling, Members acknowledged the distinction to be drawn between the manner in which complaints are handled and the outcome of the complaints themselves.

- RESOLVED:**
- 1) That the Head of Communications and Consultation provide a written report containing information about Environment & Leisure Department's complaints handling capacity, an

explanation of the longer complaint response times, and for an officer from that department to be invited to Committee in December 2003;

- 2) The Head of Communications and Consultation was asked to provide a more detailed breakdown of the source/focus of departmental complaints statistics in table 6 of the report [in particular the criteria for leaseholder/tenant issues being considered under the discrete arbitration procedure rather than as complaints];
- 3) Members asked for further details of the cost of arbitration for the period April – September 2003 and details of the stages and process involved;
- 4) Members asked for more information on the figures in paragraph 7 [time taken to resolve complaints by directorates];
- 5) The Head of Communications and Consultation was asked to report back to this Committee in early 2004 with a detailed analysis of patterns and trends in complaints management and include details of the sample telephone survey proposed by Customer Feedback Unit [referred to in paragraph 10 of the report].

4. SCRUTINY: CIVIC AWARDS – DRAFT PROJECT BRIEF [see pages 7]

The Head of Overview & Scrutiny presented the draft project brief for the review.

RESOLVED:

- 1) The draft project brief for review of Civic Awards was agreed as presented;
- 2) That Party Group leaders be consulted for their views on the matter;
- 3) That Officers write to all current Councillors, and to former Mayors to advise them of the short scrutiny review to be undertaken, and to invite their suggestions for areas of focus for the review, prior to the next round of Awards;

5. SCRUTINY: CHARTER SCHOOL – CONSIDERATION OF DRAFT FINAL SCRUTINY REPORT [see pages 20-27 & 28-51]

The Chair agreed to the consideration of the draft final Scrutiny Report [officer notes] on Charter School Overspend, and in addition the Final District Audit Report “Overview of Capital Project at the Charter School” [Audit Commission, October 2003] which had become available since circulation of the main Agenda for this meeting.

The Head of Corporate & Strategic Finance explained that the Final District Audit report now contained the Action Plan agreed with the authority.

Head of Overview & Scrutiny took Members through the draft final Scrutiny Report, which Members discussed in detail, proposing amendments to existing wording and recommendations, and providing wording for additional recommendations and text.

RESOLVED: That the draft final Scrutiny Report of this Committee on the Charter School overspend be agreed, subject to the requested changes and additions being made by the Head of Overview & Scrutiny.

EXCLUSION OF PRESS AND PUBLIC

At 9.35 p.m. it was proposed, seconded and

RESOLVED: That the public be excluded from the meeting for consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information that falls within categories 1-10 as defined in paragraph 10.4 of the Council's Access to Information Procedure Rules.

MINUTES

RESOLVED: That the Minutes of the closed sections of the meetings of this Committee held on 7th July and 15th September 2003 be agreed as a correct record and signed by the Chair.

The meeting ended at 9.46 p.m.

CHAIR:

DATED: