

5 February 2018.

Dear Councillor,

A meeting of the **SCRUTINY COMMITTEE FOR CUSTOMER SERVICES AND SERVICE DELIVERY** will be held in the **Council Chamber** at these offices on **TUESDAY, 13 FEBRUARY 2018 at 7.00 p.m.**, when your attendance is requested.

Yours sincerely,

KATHRYN HALL

Chief Executive.

A G E N D A

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|----|--|----------------|
| 1. | To note Substitutes in Accordance with Council Procedure Rule 4 - Substitutes at Meetings of Committees etc. | |
| 2. | To receive apologies for absence. | |
| 3. | To receive Declaration of Interests from Members in respect of any matter on the Agenda. | |
| 4. | To confirm the Minutes of the meeting of the Committee held on 22 November 2017. | 3 - 6 |
| 5. | To consider any items that the Chairman agrees to take as urgent business. | |
| 6. | Digital Programme 2018/19 Including Overview of GDPR Preparations | 7 - 28 |
| 7. | Overview of Complaints – 2016/2017 | 29 - 44 |
| 8. | Scrutiny Committee for Customer Services and Service Delivery Work Programme 2017/18. | 45 - 46 |
| 9. | Questions pursuant to Council Procedure Rule 10 due notice of which has been given. | |

To: **Members of the Scrutiny Committee for Customer Services and Service Delivery** - Councillors M. Belsey, Bennett, Binks, Boutrup, Bradbury, Catharine, Ellis, Fussell, Holden, Anthea Lea, Llewellyn-Burke, Mundin, Page, Sweatman, Trumble.

Minutes of the Meeting of the Scrutiny Committee for Customer Services and Service Delivery held on 22 November 2017 from 7:00 p.m. to 7:27 p.m.

Present: Councillors: Anne Boutrup (Chairman)
Margaret Belsey* (Vice-Chairman)

Liz Bennett*

Cherry Catherine*

Colin Holden

Howard Mundin

Colin Trumble*

Michelle Binks

Sandy Ellis

Anthea Lea

Kirsty Page

Pete Bradbury*

Claire Fussell

Judy Llewellyn-Burke

Dick Sweatman*

*Absent

Also Present (Cabinet Members): Councillor Thomas-Atkin.

Also Present (Members): Councillor Wall

1. SUBSTITUTES AT MEETINGS OF COMMITTEE - COUNCIL PROCEDURE RULE 4

Councillor Wyan was substituting for Councillor Bradbury.

2. APOLOGIES

Apologies had been received from Councillor M. Belsey, Bradbury, Bennett, Catherine, Marsh, Sweatman and Trumble.

3. DECLARATIONS OF INTEREST

None.

4. MINUTES

The Minutes of the meeting of the Committee held on 11 October 2017 were agreed as a correct record and signed by the Chairman

5. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS.

The Chairman informed the committee of the recent introduction of a British Heart Foundation Pilot Project by the Waste Management Team and wanted to clarify the nature and objective of the scheme. She explained that the pilot was set up with the aim of increasing the volume of textiles and Waste Electrical and Electronic Equipment (WEEE) that are recycled in Mid Sussex. During the first phase, 20,000 properties were trialled over the course of November with BHF collecting 16,754kg so far.

A Member, who lives close to the East Sussex boundary, said that he does not want to see Mid Sussex going down the road of having multiple waste collections which he sees at his East Sussex neighbours.

Rob Anderton, Divisional Leader for Commercial Services & Contracts, clarified that MSDC are not expecting residents to have multiple waste boxes to collect their waste but instead to just provide their bagged WEEE and Fabrics on certain days.

6. LEISURE CENTRE INVESTMENT REPORT

The Divisional Leader for Commercial Services & Contracts introduced the report which provided an update on the programme of leisure centre investment projects approved at Council in 2016 and outlined proposals for future investment. Previous investment financed by Places for People Leisure Limited during the 2014/15 period not only resulted in an improvement to the delivery of the service but also resulted in record attendance numbers and membership levels. He confirmed that the current agreed Joint Investment programme will be completed in January 2018 so it is a good time to consider any future investment such as those listed in the recommendations of the report.

A Member enquired how officers arrived at the scores on the Assessment Matrix in Appendix A.

Glen Wilkinson, Leisure Partnership Officer, explained that the assessment was used as a guide to prioritize projects based on the reliability and effectiveness of each project in being able to achieve the criteria listed in Appendix A

A Member raised his concerns regarding the Kings Centre as the soft play area is now so close to the café area that it may disturb those who wish to peacefully enjoy the café.

The Leisure Partnership Officer confirmed that the café area was moved to where the old gym was to create a much larger gym . He added that there was a soft play area in the old café so a replacement was provided in the new café to avoid the loss of a facility. There is a quieter area a reasonable distance from the soft play facility and it is possible to utilize the overflow/party room if not in use.

A Member asked for information on membership levels at Kings Centre.

The Leisure Partnership Officer stated that in July 2014 at the start of the contract membership levels were 1,056 in October 2017 the figure had risen to a new record level of 2,509 which is an increase of 1,453 or 137%. Over the same period The Triangle membership had risen by 64% and The Dolphin had risen by 44%.

A Member sought clarification on how many disabled children used the pool at The Triangle Leisure Centre.

The Leisure Partnership Officer explained that the specific number of disabled children using The Triangle is not monitored so he could not confirm the number.

A Member expressed that it was good to see extra car spaces at The Dolphin but questioned whether there would be a different layout.

The Leisure Partnership Officer outlined that the additional parking spaces created will result in the loss of a small number of trees. He confirmed that there are plans to plant replacement trees in a different part of the site.

A Member raised concerns that the cost of the provision of additional parking at The Dolphin as £100,000 is a significant amount to spend on only 14 car parking spaces especially when compared to the cost of converting the netball/tennis courts into football pitches at The Triangle.

Judy Holmes, Assistant Chief Executive, confirmed that the Council has looked at many options to improve car parking at The Dolphin, which is a major cause of customer dissatisfaction. Due to it being quite a constrained site there are limited options available. She stated that the large cost arises from design costs, heavy excavation, drainage and lighting which will be necessary in order to make the space for the additional parking spaces

The Leisure Partnership Officer explained that if the netball/tennis court facilities were converted into 3G football pitches then the attendances and revenue from those users would be lost. Officers had also received objections from existing users of the tennis and netball courts about the possible loss of the facilities. He confirmed that PfPL replaced the old hockey/football pitch with a new Artificial Turf Pitch surface which is more suited to football use than the old surface. If football usage levels on the new surface increase there would be less of a case for removing the netball/tennis court provision.

A Member enquired why the Kings Centre, East Grinstead, had not been considered for any investment in the future.

The Leisure Partnership Officer confirmed that the Kings Centre had received significant investment between 2014 and 2015 to a similar level to that invested at The Dolphin. The possibility of introducing a Spin Studio in the Pavilion Room or Pump House has been discussed as a possible future further improvement to the Centre.

The Assistant Chief Executive outlined that £900,000 has already been spent on improvements to the Kings Centre which is quite significant compared to the number of users of the facility. She explained that PfPL wish to consolidate at the moment and will then put forward a Programme of Future Works for the Committee to consider going forward.

A Member questioned the Council's approach to dealing with competition from local gyms in East Grinstead as he is aware of a fifth gym being opened in the area.

The Leisure Partnership Officer explained that PfPL have looked at the cost of gym memberships in the area and have set a competitive price compared to what they found.

The Chairman concluded the discussion by extending her thanks to the Leisure Team highlighting how the increased attendances and highest ever recorded membership levels show the wise investments made by the Council.

The Chairman then moved to the recommendation which was agreed unanimously.

RESOLVED

That the Committee recommend to Cabinet;

- i. £150,000 be allocated from the General Reserve to add to the £300k currently in the reserve to support enhancement of The Triangle leisure pool with new attractions; and
- ii. £100,000 be allocated from General Reserve to create additional car parking spaces at The Dolphin Leisure Centre.

**7. SCRUTINY COMMITTEE FOR CUSTOMER SERVICES AND SERVICE DELIVERY
WORK PROGRAMME 2017/18**

Tom Clark, Solicitor to the Council, updated Members on two additions to the Work Programme for the next two meetings. The first addition to the February Committee is a report on the General Data Protection Regulations and what the Council is doing to prepare for it. The second addition is a report on an Overview of Complaints 2016/17 which will provide Members with a summary of complaints over the 2016/17 period.

RESOLVED

The Committee noted the Committee's Work Programme as set out at paragraph 5 of the report.

**8. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10 DUE NOTICE OF
WHICH HAS BEEN GIVEN**

None.

Meeting closed at 7.27

Chairman

6. DIGITAL PROGRAMME 2018/19 Including Overview of GDPR Preparations

REPORT OF: HEAD OF DIGITAL AND CUSTOMER SERVICES
Contact Officer: Simon Hughes, Head of Digital and Customer Services
Email: simon.hughes@midsussex.gov.uk Tel: 01444 477421
Wards Affected: All
Key Decision: No
Report to: Scrutiny Committee for Customer Services and Service Delivery
13th February 2018

Purpose of Report

1. This report provides Members with a progress report on the service design and digital programme endorsed by the Scrutiny Committee for Customer Services and Service Delivery on the 8th February 2017. It includes more detail on the priorities for the coming twelve to eighteen months and covers details on the Council's preparations for GDPR.

Summary

2. Digital in its widest sense refers to an approach to change which is often, but not always, enabled by digital and networked technologies. This change is both social (culture and behaviours) for example the increasing use of mobile devices, as well as technical (process design and infrastructure) for example software that is internet based not needing such complex hardware on site (Software as a Service)
3. Digital is not the point of the change, but it can drive changes and support changes within services. For example, information on missed bins can be transferred from the contact centre to SERCO in real time so that they can be picked up more quickly therefore improving customer services. This reduces staff time spent on processing information and more time on delivering the service.
4. While there have service improvements the programme has also identified efficiency gains and areas where costs have been avoided over the coming months and years. The fall into three areas: efficiency gains, cost reduction and cost avoidance. Many of the changes to date have been used to increased capacity within services and update hardware and software to support changes in how services can be provided to meet changing business needs. For example,

Recommendations

5. **The Committee is recommended to:**
 - a) **Note the progress of the service design and digital programme in the past year;**
 - b) **Consider the outline approach for the service design and digital programme for 2018/19; and**
 - c) **Consider any particular priorities that they would wish to see given within the service design and digital programme.**

Background

Digital and technology trends in the last year

6. The past year has seen a continuation of the move of technology towards internet based, mobile accessible tools and systems. A good example of this shift is Microsoft, a company that once based its strategy on its Windows operating system, which dominated desktop and laptop computing. Microsoft is now taking a cloud services approach, wanting customers to use its applications on a whole range of devices, including those based on Google and Apple technology.
7. This is changing the software supplier market to government, with the expectations of both staff and citizens using online services demanding an experience similar to that which they get using consumer services such as Facebook, Amazon, Google and so on. Increasing pressure is being put on our suppliers to deliver software that is easy to use, straightforward to maintain and enables simple customer self-service. It is fair to say that we are at the beginning of the conversation with suppliers, but increased pressure from across the sector will hopefully deliver results from software vendors.
8. In government, progress and innovation at the Government Digital Service (GDS) has stalled in the last year, however they continue to improve upon the Gov.uk website and develop services such as Payments and Verify (for identifying customers online). GDS has been most successful in promoting approaches such as user centred service design and agile project delivery, resulting in quicker, better outcomes for citizens. MSDC is increasingly employing these techniques in our operations.
9. In the meantime, new suppliers are emerging to challenge the incumbents. This is no mean feat, given the entrenched nature of some suppliers with their customers, as well as the cost of developing new local government software. MSDC are making use of new suppliers in the market where it is appropriate to do so.

The Council's digital and IT approaches

10. Our approach to IT and digital is to enable the Council's services to be redesigned to better meet our customers' needs, as efficiently as possible. This requires systems and hardware that are flexible, mobile, deliver on customer self-service, and manage data securely whilst also enabling us to use it to understand our customers.
11. We believe that cloud-based technology is the best way to deliver this future of flexible, mobile, customer-friendly and interoperable systems. We want to invest in and exploit a small suite of cloud platforms to deliver all the capabilities we need to help colleagues redesign their services.
12. We are already a fair way down this road. Salesforce is being used as a Customer Relationship Management System (CRM) and is also used to deliver workflows and databases. Office 365 has put email and calendar in the cloud, and also will enable document collaboration, project planning and team communication.

13. When assessing a requirement from a service area, our first approach should be to consider whether existing capabilities can be used to meet that need. Where they can't, we should look to buy a Software as a Service (SaaS) solution. SaaS has a much lower maintenance overhead than traditional, on premise systems, and should also deliver on mobility, self-service and data interoperability. We are already doing this too, with the rollout of the XCD system for human resources and payroll.
14. Using existing cloud capabilities is helpful when we are developing a bespoke workflow, where speed of delivery is a requirement and where we have very specific needs to meet. SaaS suits situations where a larger system is needed that meets needs common to many organisations.
15. Some of our requirements however cannot be met in either of these ways. Perhaps the requirement is too complex for existing capabilities, and there is no suitable SaaS solution on the market. In this case, we will look to host a more traditional application in the cloud, through Infrastructure as a Service (IaaS).
16. With IaaS, we will have a cloud-based infrastructure available to us to host systems and data in the cloud, as if they were running in a local data centre. However, we will access the systems over the internet rather than a local network.
17. Our overarching aim is to limit the amount of on premise infrastructure to the bare minimum, through the use of existing cloud capabilities, SaaS and IaaS.
18. This will enable us to free people up to help services redesign the way they do things, making the most of modern technology, to meet those challenges of increased demand and reducing budgets.

Developments with the Census ICT partnership

19. The Census ICT partnership has changed dramatically in the last 12 months and is now being wound down. All the staff are now employed by their host council, and the last Joint Committee meeting will be held in March 2018.
20. For each council in the partnership, it makes sense to be able to implement their IT and digital strategies without the overhead of partnership working, particularly where those strategies diverge. There will always be opportunities however for the sharing of knowledge, experience and resources and these will be explored as officers in the councils keep one another up to date with progress.
21. There remains a small number of systems that are shared by the councils that made up the partnership. Plans are being worked up for each of these to be returned to the individual councils, or for other arrangements to be made where these make sense – for instance, where group purchasing saves significant budget, we will continue to jointly procure on an ad hoc basis.
22. In terms of the systems hosted by MSDC on behalf of other councils, the Northgate Resourcelink HR system which is only used by Adur & Worthing will be migrated to their hosting environment over the next few months. MSDC also hosts Horsham's Revenues and Benefits system, but this arrangement will end once HDC's new supplier is in place and operational.

Section One: Headline Review of the Digital Programme 2017/18

Themes and challenges - data architecture, migration and quality

23. One of the aims over the phases of the digital programme has been to introduce a consistent approach to data architecture. This is the policies, rules and standards that govern which data is collected, how it is stored, arranged, integrated, and put to use in data systems. This means that the Council knows what data it has and how it can be used across multiple systems. Done effectively this provides a number of single data sources where we know the data handling practices are highly effective and therefore data within them can be regarded as a definitive record. For example, the Council's Gazetteer complies with British Standards and is the standard for address data in the UK. It is updated through our Street Naming and Numbering Service.
24. Other systems across the Council hold address data and changes have not been directly sourced from the Gazetteer. This means addresses in these systems become incorrect over time. New systems are procured that are link to these single data sources and rely on them for updates. For example, the Gazetteer data can be used within the CRM and Waste systems. This has the benefit of ensuring address data, once cleansed, is accurate and that any new addresses are automatically loaded using existing data. This eliminates rekeying of addresses across multiple systems, reducing errors which in turn impact on the service to customers for example in notifications on service changes going to incorrect addresses.
25. There have been significant challenges in migrating data from old systems to newer systems. This is because in many older systems suppliers make it difficult to extract data without substantial switching costs. This can mean taking advantage of newer systems with improved usability and functionality can be prohibitively expensive if only comparing licensing and support costs.
26. New systems are being procured that have the ability to transfer data for no cost and with clearly documented data structures. This means that the Council is able to avoid the costs of moving from one system to another in the future. This allows the Council to move suppliers more easily to take advantage of the market. it also means the Council is more easily able to categorise its data assets to satisfy GDPR requirements.
27. Improving data quality has been a challenge. Problems have arisen when transferring data from one system and matching to single data sources to provide better data handling practices. One data migration identified over 2,000 incorrect address records resulting in a higher number of calls to the contact centre.

CenSus Revenues and Benefits website redesign

28. The CenSus website was designed and implemented several years ago. This meant it was not technologically advanced enough to work with modern browsers or meet customer needs. The site was redesigned earlier this year. The project, excluding existing officer time, cost £3950 for design work, incentives for user testing and improved search tools for customers.
29. The problems were:

- Problems accessing the site on tablets and smartphones.
- Unclear information and structure because of new content being added without any rationalising, moving or amending old content.
- Poor page ordering because of a lack in understanding priority tasks for customers.
- Unclear technical language not aimed at customers.

30. The website also only allowed a small amount of interactivity. Most of the content guided users towards taking action by either contacting the service by phone or printing out a PDF, filling it in and submitting it through the mail.

31. This redesign has delivered a number of efficiency gains. Website analytics for comparable periods pre and post redesign have assessed the effectiveness of the redesign. Site visits have increased by 121% from 2016 to the same period 2017. Page views have increased by 122% from 2016 to the same period 2017 (since launch). Both measures increasing shows that more users are visiting the site and those that do are finding what they need and/or transacting digitally with the service. This means there are more people using the digital service because it is easier to do so. This has corresponded with a reduction in calls to the CenSus Customer Services Team which is stabilising at 11% fewer calls across comparable periods.

32. The number of forms successfully digitally accessed has increased by 402% from 2016 to the same period 2017. The number of documents downloaded since the new site has launched has decreased by 16%. This alone is a efficiency gain of approximately £32,0001 per annum.

Customer Relationship Management (CRM) development

33. The Council's Contact Centre had been operating a CRM system procured in partnership more than ten years ago. In 2015 the Council left the partnership following increases in costs.

34. The CRM had limited integration with other systems across the Council. For example, for customer services staff to access Planning and Building Control systems they needed to log on to separate systems, re-enter data, therefore delaying responses to customers. The large number of processes and procedures handled using e-forms and spreadsheets also presented a level of insecurity in data management. It meant that data was not reused by other systems potentially reducing data quality and meaning many customer contacts took additional time to resolve. These issues meant that the Contact Centre was not meeting targets on call response times and calls were not reducing.

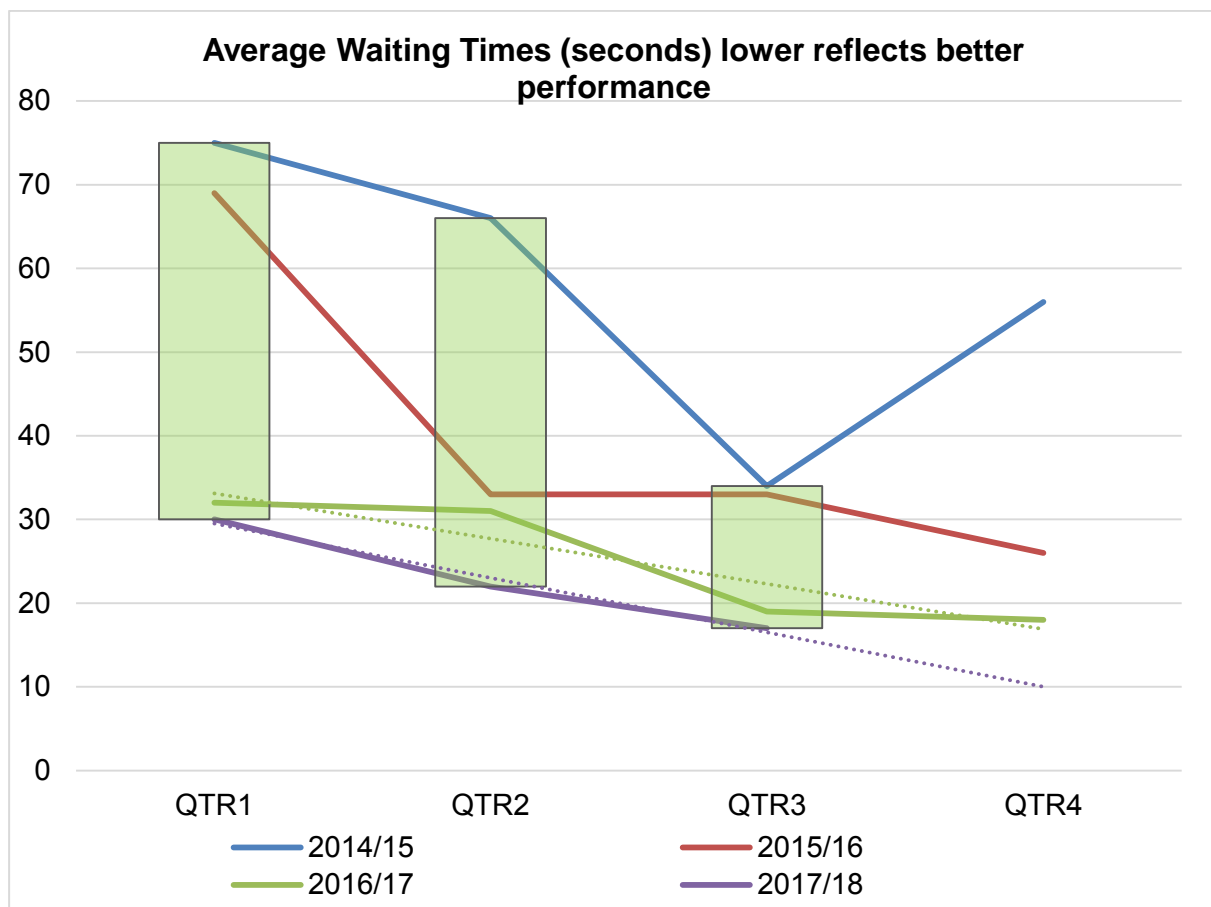
¹ This assumes all downloaded documents would be submitted to the council. It is calculated by the difference in documents viewed [3921] multiplied by estimated cost of f2f interaction [£8.62], subtracted from difference in documents viewed [3921] multiplied by estimated cost of online interaction [£0.30]. Standard costs here <https://www.gov.uk/government/publications/digital-efficiency-report/digital-efficiency-report>)

35. The new CRM allows easier technical redesign of business processes and integration with other systems. It is integrated with new waste services system built on the same software, Salesforce. The licencing and support costs are the same as the previous CRM. To date the new CRM has enabled:

- productivity gains by enabling new ways of working;
- faster responses to service requests between customers and contractors;
- resilience, process transparency and scalability to processes reducing marginal costs; and
- Improved data quality, eliminating double-entry and duplication of data.

36. Workflow efficiencies have delivered efficiency gains within the team and this has continued to improve response times and widen the range of services offered. Since the introduction of the new CRM and improvements to workflows the Customer Services team have been able to respond faster to customer calls while at the same time introducing new service lines to the contact centre. This has been achieved thanks to their close involvement in developing and testing the system and openness to adopting new ways of working. The team shares best practice among themselves to speed up adoption and coordinates responses to show and tell sessions to ensure the developers deliver what is required.

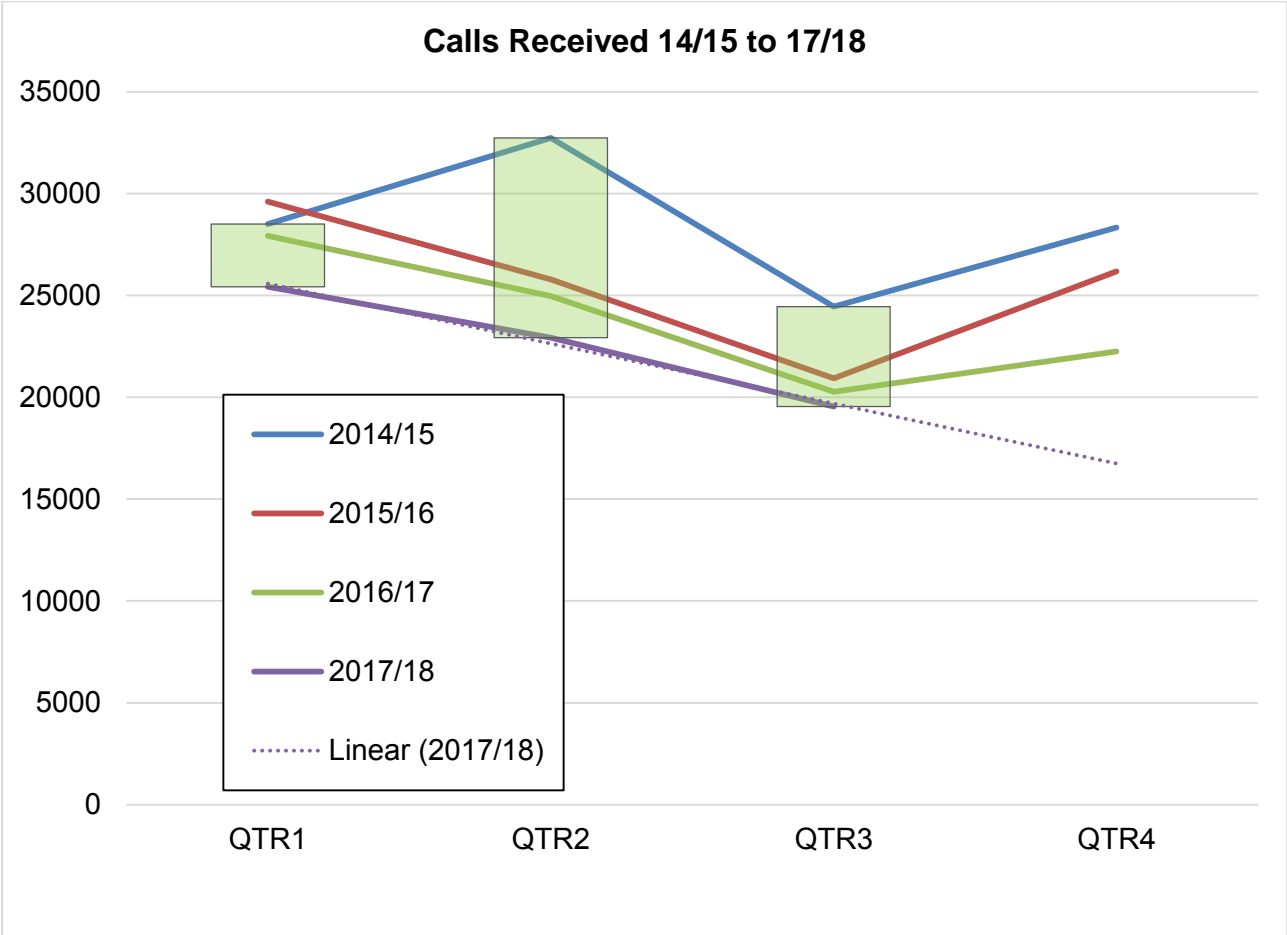
COMPARISON OF CONTACT CENTRE WAITING TIMES BY QUARTER 14/15 TO 17/18



37. Response times in the contact centre are a function of the number of calls, the complexity of calls and the time taken to resolve a customer query. There are seasonal variations in the numbers of calls, for example the 4th quarter sees a rise due to annual billing, licencing and other year-end activities. Additionally, volumes increase during elections and other 'one-off' activity. The lines show a decreasing trend since the introduction of the CRM with the response time reducing by over one half since 14/15 from an average of 59 seconds to 23 seconds. The green bars indicate reductions in response times for each quarter from the former CRM to 17/18. This means the response time target of 30 seconds is now being exceeded and new services being incorporated with no additional contact staff being recruited.

38. Web forms have also been improved in two ways. Frequently used web forms have been simplified and placed more prominently on our webpages. We have also enabled a number of key forms with 'web to case' functionality. This means that the web form creates a case in the CRM and this can follow the same workflow as if a customer contacted the Council by phone. This automation reduces the need for staff to extract information from emails created by forms and then enter them into the CRM. This has helped to reduce calls and increase the use of forms.

COMPARISON OF CALLS TO THE CONTACT CENTRE BY QUARTER 14/15 TO 17/18



39. The lines show calls decreasing since the introduction of the new CRM. From 14/15 baseline call volumes have decreased by over 20,000 calls. The green bars indicate reductions in calls when comparing quarters. This represents approximately a £51,200 efficiency gain for the customer services team in reduced calls. There are also efficiency gains within other parts of the Council where services have been moved to the contact centre and 'web to case' has been implemented. The gains for customer services are being used to take in more lines of business and provide more customer channels. This includes using social media as a customer services channel (Social CRM) in line with customer expectations. Examples include notifications about the conditions of pitches, publicising events and health and wellbeing initiatives as well as responding to customer queries.

HR system replacement

40. A new HR and Payroll system is replacing the current range of systems as licences expire. The issues with the Northgate ResourceLink HR system were:

- Significant overhead in system updates.
- Workflows could not be developed in-house to allow automation.
- User defined reports were not possible meaning developing management information was difficult.
- Limited integration between HR and Payroll meaning a significant number of manual adjustments were needed in Payroll.
- Access to the system for users only possible on the network. No mobile functionality.

41. The system selected is cloud based, based on the Salesforce Platform and provides easy and secure access to information for staff and managers. Licencing costs are slightly higher than for the previous system (£4,500 per annum). However, efficiencies will be delivered in other areas. The Digital and ICT team are already familiar with supporting Salesforce (CRM and Waste) and are able to design workflows that work with the system. This will provide efficiency gains both in relation to developing the system and in increased automation reducing manager time spent on collating information. This will also mean that hardware will be able to be retired and resources currently focussed on hardware support can be redirected. Evaluation of the implementation will commence in April to identify specific efficiencies compared against

Infrastructure modernisation (Servers, Wifi, cabling)

42. Network infrastructure is a fixed cost for the Council of doing business. It provides services with connectivity to systems and the internet. As with all infrastructure, cabling, switches and servers have a lifespan. As the equipment gets older the costs of support, particularly for switches and servers becomes more expensive and parts harder to source. Cabling similarly ages. It is categorised according to the speed of data it can transmit and can oxidise over time meaning lost data and slower transmission speeds which in turn means systems can crash or timeout.

43. Over the last 18 months ICT have decommissioned 37 servers:

- 11 consolidated on more modern systems reducing support costs.

- 5 replaced by the migration of web content server to cloud services for the same cost as the current licence with improved resilience, development and security updates.
- 4 replaced in the cloud by SaaS (e.g. Office 365 and XCD) with improved resilience, security and updates for the same licencing costs.
- 12 removed entirely by the Council enabling decommissioning of 5 underlying infrastructure elements that supported all of the servers.

44. We are currently replacing servers supporting the SiDem parking system, Academy Revenues & Benefits Sun Servers, and the remainder of the Northgate ResourceLink HR system which will be passed to Adur-Worthing.

45. Efficiencies here relate to savings in the fixed costs related to the server room (energy), reductions in licencing costs, and efficiencies in IT staff time linked to supporting hardware and cost avoidance of more expensive support contracts for ageing hardware.

46. Cloud infrastructure as a service

47. At the beginning of 2018, we are entering the implementation phase of our cloud infrastructure as a service (IaaS) project, which will see a large proportion of our data centre move into the Microsoft Azure cloud.

48. The move to cloud IaaS provides several benefits:

- Increased resilience – the sheer scale of operation of large cloud providers such as Amazon, Microsoft and Google mean that the availability and uptime of their platforms cannot be rivalled by in-house offerings. Disaster recovery is a major risk for all Councils at present and the move to the cloud would also help mitigate this.
- Better performance – again, the scale available to cloud providers means that the latest technology is available and supported, meaning our technology will run quickly and efficiently.
- Access to skills and knowledge – as a relatively small organisation, with limited financial resources, it is difficult to recruit staff with skills and knowledge in the latest developments in IT infrastructure. Working with much larger, specialist organisations will ensure that niche and expensive skills will be available when the Council needs them.
- Information security – the Council can maintain an emphasis on excellent IT security by tapping into the greater resources and knowledge that partners will be able to provide. Utilising the guidance issued through central government on cloud security, the Council can ensure maximum flexibility is delivered in the technology stack whilst also ensuring data is as secure as it can be.

49. The first stage of the project was completed in partnership with Adur & Worthing and Horsham District Council. A managed service provider, Eduserv, was appointed, and a discovery phase identified how the data centre currently worked and how it could be migrated into the cloud. The design phase then followed, resulting in a High Level Design for the MSDC IaaS environment, and the selection of Microsoft Azure for our cloud provider. Each council now goes its separate way on the project, however we will work closely with Horsham where we can, who have also chosen the Azure route.
50. Before each system and its related data is moved to cloud IaaS, a bespoke migration plan will be developed to identify the approach and manage related risks. The relevant service areas will be fully informed and any disruption to services will be kept to an absolute minimum.

Revenues and benefits system migration and improvements

51. The CenSus Revenues and Benefits system (Academy) has been running on ageing servers with an operating system that is expensive to support. The project involved moving from this hardware and software to a virtualised infrastructure running the more common and cheaper to support RedHat Linux operating system. The overall aim was to deliver a more sustainable infrastructure for the CenSus Revenues and Benefit Academy Systems providing increased resilience and faster processing capability.
52. The system migration, including full testing was completed in December prior to annual billing. A full assessment of the system will be completed after 6 and then 12 months of running to evaluate projected reductions in downtimes, speeds of system responsiveness and reductions in support costs.

Section Two: Work programme 2018/19

Work Prioritisation

53. The selection of service lines for redesign uses the following principles:

- high volume, high impact service lines where improvements will benefit a lot of customers rapidly;
- quick wins, where there is opportunity to do a short sharp piece of work to transform a service (or important aspects of it), for example ordering of the green waste collection service;
- breaks in contract provision, where a change offers an opportunity for a re-appraisal of what is delivered and how, for example the CRM and HR system replacement;
- a service line currently perceived as problematic or 'failing', where a service redesign will reduce customer frustration or operational inefficiencies; and
- opportunities and inter-dependencies within or between business units to provide more connected services to customers (internally and externally).

Headline Workstreams

Introducing more services into the contact centre

54. The introduction of the new CRM with a clear underlying data structure and 'low-code' capabilities has meant that workflows have been built and improved within the system by in-house staff. These workflow efficiencies have delivered additional capacity within the team and this has been used to improve response times and allowed the team to widen the range of services offered.

55. This will allow other customer service requests to be introduced to the contact centre. The next phase of service redesign for the waste system will use the functionality that has been developed to free up the waste management team from administrative processing. This work is streamlining workflows by reducing the administrative steps required between the customer service requests and the contractor. This will free up staff time to focus on recycling initiatives, marketing garden waste services and working alongside the contractor to deliver further service improvements.

56. The next service lines being included and/or under investigation for inclusion are:

- garden waste (first iteration tested and being revised). The team will manage the bulk of the administrative work on signing up, moving and cancellations.
- bulky waste (testing currently pending policy review).
- antisocial behaviour (investigating triaging calls and recording information)

The team have used the capacity generated by these efficiencies to take on Social CRM work. This means they are using social media as a customer services channel in line with customer expectations, dealing with direct messages on Facebook or private messages on Twitter. The team are well versed in dealing with the types of enquiries we receive and are able to answer most at first point of contact, only rarely needing to contact the relevant service directly for assistance.

New MSDC Website

57. The website redesign has started and has involved significant user testing to improve usability. This includes reducing the number of clicks for navigation and giving more prominence to highly searched for pages.
58. Work is underway with a copywriter and service teams to ensure the language used is consistent, clear and that technical phraseology is minimised. The design and testing has built on the work that delivered the new CenSus Revenues and Benefits website. It includes work to ensure the language for the site is more accessible and that the information and steps required to complete forms is clearer.

Windows 10, workstation and laptop upgrades

59. The current desktop operating system, Windows7, is due to go out of security support in January 2020. the majority of desktops will need to be upgraded or replaced before this to ensure security & PSN connection certification compliance. The windows10 operating system is more cloud based and this will enable staff to take full advantage of the additional web services available from the Cloud environment and ensure compatibility with software support after Windows7 goes out of support.
60. Over 200 desktops & laptops will need replacing and additional 200 will need memory upgrades to support the new operating system. There is also some desktop software that will need to be upgraded to a Windows10 compatible version. This will support mobile working capabilities for field staff including:
 - environmental health
 - building control
 - tree officers
 - estates

Office 365 rollout

61. Email and calendar have been rolled out to staff and Members. The next phase is to move documents and file electronic files to Office 365. Small trials of file sharing have proven effective in providing teams with shared documents and avoiding duplications. Initial projections, using a simple comparison between the cost to provide email on premise versus Office 365's mail boxes online, shows a roughly a 30% saving. This is principally the ongoing efficiency savings of not having to perform manage upgrades on a regular basis. In addition to this Office 365 has two additional features that are particularly important for GDPR and controlling email and data:

- Information Rights Management - providing the ability to control the copying, printing and forwarding of content based on user roles and responsibilities, ensuring greater control of information sharing both internally and with external parties. This is particularly useful for protectively marked emails that might otherwise be shared.
- Retention - providing the ability to ensure data that must be kept is not deleted and data that must be deleted is identified. This might apply to non-sensitive financial data held that may need to be kept for a long period of time for regulatory purposes.

GDPR preparedness

62. On 25th May 2018 the General Data Protection Regulations (GDPR) come into force. Many of the GDPR's main concepts and principles are much the same as those in the current Data Protection Act (DPA), and therefore most of the approach to compliance under current laws will remain valid under the GDPR and can be the starting point to build from. However, there are new elements and significant enhancements, which means the Council will have to do some things for the first time and some things differently.
63. Done properly, GDPR compliance provides a real opportunity for positive change. Focusing on risk, as well as a more generic approach to cyber resilience should ensure that not only is our data protected, but that business processes and data quality are improved.
64. GDPR applies to personal and sensitive personal data. The definitions of this data have not changed compared to the Data Protection Act other than genetic and biometric data are now expressly categorised as sensitive personal data, and there is also a separate provision for data relating to criminal offences.
65. The definitions of controller and processor are essentially unchanged:
- A Controller determines the purposes and means of the processing of personal data. The Council is a data controller.
 - A Processor is responsible for processing personal data on behalf of a controller. Organisations such as Northgate, who scan our Revenues and Benefits incoming communications, are data processors.
66. The main change in this area is that processors now also have direct compliance obligations under the GDPR. They are required to maintain records of personal data and processing activities. They will also have legal liability if they are responsible for a breach.
67. GDPR compliance and effective cyber resilience are two sides of the same coin. It therefore makes sense to take an integrated approach to developing a single roadmap towards compliance and protection.
68. Our starting point is to understand the personal and critical data we hold. Calculating the level of risk to that data can then be determined by looking at where it is stored, how it is processed and if it is adequately protected. This is achieved by the GDPR requirement to document our processing activities. There are also physical assets such as filing cabinets and archives to consider.

69. This means that, not only do we get a complete and consistent understanding of the processes in the organisation (especially where those processes cut across more than one area), we are also raising the awareness of key staff in the organisation. This embeds a principle of privacy by design much more effectively than just providing online learning.

70. As the Council has always complied fully with the DPA, we already have policies and procedures in place that for the most part, will only need a small amount of adjustment to make them GDPR compliant. Our current working practices include:

- Full set of Information Security policies
- Subject Access Request procedure
- Breach procedure
- A General Privacy Notice
- Data Protection Code of Practice
- Basic information on what we do with data on forms where we collect personal information
- Online data protection training for staff

71. The Council's GDPR plan builds on this work. The detailed high-level plan for GDPR compliance is contained in Appendix 3 and has a number of key tasks including:

- Alerting services to the requirements of GDPR linked to their specific data (an example for HR services is contained in appendix 1).
- Follow up training, action planning sessions with teams and regular training for staff and Members.
- Reviewing the data we already hold and clearing out 'old data' from our network drives and files to ensure we are not holding on to information unnecessarily.
- Completing privacy impact assessments for all systems.
- Ensuring data is classified for use in our systems, enabling us to auto detect sensitive data and prevent it from being accidentally sent to the wrong people.
- Review our consent actions on all forms/e-forms and documents where we may ask customers to provide information to us.
- Updating policies and code of practice
- Preparing Privacy notices (see Appendix 2 for an example privacy notice).
- Ensuring we know where all of our data is stored and have all external processors working on our behalf provide us with relevant security information for the storage of our data.

72. We have also invested in existing systems to support GDPR compliance. For example, the planning system, IDOX, is being upgraded to more easily allow system administrators to define database records or groups of records need to be removed or restricted in order to facilitate compliance.
73. The progress of the action plan will be reviewed weekly and be adjusted according to findings from data audits and progress in implementing work within each service area.

Network Hardware Replacement

74. We are replacing 25 of our 27 Data switches located in cabinets throughout the MSDC campus. These enable staff connection to the MSDC network. These switches were bought in 2007 or before and are now end of life and replacement parts and supports costs are increasing in cost (where they are available). The Core network switch, which is at the heart of the MSDC network, is also being replaced to ensure all traffic throughout the network can negotiate at higher speeds. Ageing cable will also be replaced with 'faster' cable so that systems to enable improved data speeds.

Policy Context

75. The Digital Programme is intended to support the Council in its aim of continuing to increase efficiency whilst protecting front-line services, in line with the Corporate Plan and Budget.

Financial Implications

76. The work will be delivered through existing budgets and the IT reserve established for the digital programme. A number of projects require initial capital investment in order to achieve longer-term savings. Requests for such investment will be made in the usual way as a bid to the capital programme for approval by Cabinet each bid will be supported by a business case.
77. Under the GDPR the potential fines for breaches have increased considerably. The fines are discretionary, rather than mandatory; they must be imposed on a case by case basis and should be effective, proportionate and dissuasive. There are two tiers of fines that can be applied:
- Up to 10 million Euros or 2% of global turnover, whichever is higher
 - Up to 20 million Euros or 4% of global turnover, whichever is higher
78. Infringements of the organisation's obligations, including data security breaches, will be subject to the lower level, whereas infringements of an individual's privacy rights will be subject to the higher level.

Risk Management Implications

79. Making changes to services carries with it a risk of impacts on service quality. These risks are minimised by ensuring staff are fully involved in the development of any changes, and that proposals are prototyped and tested to ensure they result in a positive impact on the service and the customer. Customer involvement is also ensuring the changes reflect customer need and expectations.

80. A comprehensive ICT Risk Register is maintained. The current top five risks and associated mitigation strategies currently are:

Risk Description	Controls
Insufficient capacity to cope with workloads and unexpected demands (for example introduction of unforeseen legislation, significant system changes outside skills set of the team)	<p>Ensure that adequate resources are identified and included in project costs – ongoing.</p> <p>Monitor ongoing service capacity levels (weekly) and take appropriate action as necessary – ongoing action</p> <p>Establish trusted suppliers with specific technology expertise.</p>
Failure to maintain service delivery in the event of disruption e.g. fire, flood, power failure, IT failure, Industrial action etc.)	Develop & maintain departmental business continuity plan in line with specific BCP/DR processes – now in place.
Penalties imposed due to failure to meet government agenda and or legislation	All ICT management to keep abreast of changes and report implications to the Head of Digital – ongoing review through monthly Management meetings.
Failure to implement and manage agreed security controls	Project in place to move, where possible, to IaaS to take bulk of patching processes & agree maintenance windows for patching & testing of servers. An ITIL compliant Change Control process has been in place for and has greatly reduced the risk (incidence) of errors & downtime.
Compromise of IT systems due to unknown vulnerability (software, hardware, physical and staff behaviour)	Training and awareness programme for staff. All non-essential administration accounts and servers have been deleted or decommissioned to minimise the potential for errors & introduction of vulnerabilities.

Equality and Customer Service Implications

81. When making changes to services, those with ‘protected characteristics’ under the Equality Act are given particular consideration. Wherever possible the Council aims to maintain choice in how a service can be accessed (i.e. by phone, face-to-face, or via the web) to provide maximum flexibility to the customer. Service changes are also subjected to customer impact assessments prior to their implementation.

Background Papers

Service Redesign report of the 14th September 2016,

Service Design and Digital Programme 8th February 2017.

Appendix 1

Example copy of information to HR

You may have heard of the GDPR (General Data Protection Regulation). It is a EU Regulation which was enacted before Brexit, so we still have to comply with this. It is currently in force, but organisations have until May 2018 to be fully compliant. We are beginning work on this now and will be in touch with departments to cover what needs to be done.

I thought I would give you a brief overview of the things HR will need to take into consideration. Some of these things will need to be dealt with in conjunction with the Data Protection Officer e.g. SARs, data storage, responsibility retention. The things to start considering now are:

- HR needs to understand and plan for how it will meet the requirements of GDPR and how it will use data provided by, gathered on and kept about employees.
- HR is not alone responsible for GDPR

Before employment

- at the recruitment stage HR will need to make clear to applicants and potential employees how data will be used during the application process and what the organisation's Data Protection Policy is.
- this has to be made very clear and 'up front', not tucked away in small print.
- consent to hold and process employee data must be obtained.
- data on unsuccessful candidates must not be retained without consent - and then only for a limited period.

During employment

- on employment, consent must be confirmed again in a clear and explicit manner
- employees must be made aware of GDPR and the Council's Data Protection Policy.
- Data Protection training needs to be included in induction and followed by annual checks.
- employees must be made aware of their personal responsibility for proper use of the Council's data, for example in marketing activity, legal and financial issues, use of personal storage devices etc.
- there must be clarity over prevention of data breaches, what happens should such breaches occur, and standard procedures for dealing with them.
- there will be Subject Access Requests (SARs) - employees asking to know what data the Council holds on them.
- consideration should be given to the issue of 'the right to be forgotten'. This is a tension between the Council's need to keep records - for example about disciplinary matters - and the individual's rights for data about such issues to be removed once, say, warnings, have expired.
- changes in the Data Protection Policy - and in the law - need to be made clear to all employees.

After employment ceases

- clarity about how long data on former employees is kept, what it includes, for what purposes it will be used (e.g. references) and the individual's right to see it and have it removed.
- the issue of 'Dark Data' - the Council knowing what exactly what data it has where it is, what it might have forgotten about and how to deal with it.
- One of the key principles of GDPR relates to 'storage limitation'. Data must only be kept for a limited period. The very existence of 'Dark Data' will constitute a breach.

Appendix 2

Example of a Privacy Notice

Your Personal Data:

What we need

Mid Sussex District Council will be what's known as the 'Controller' of the personal data you provide to us. The data we collect may include personal data and sensitive personal data. This may consist of name, address, bank details, health details etc.

Why we need it

We need to know your basic personal data in order to provide you with council services. We will not collect any personal data from you we do not need in order to provide and oversee these services

What we do with it

All the personal data we process is processed by our staff in the UK however for the purposes of IT hosting and maintenance this information is located on servers within the European Union. No 3rd parties have access to your personal data unless the law allows them to do so.

How long we keep it

The Council has a data retention schedule and the various service areas all have differing lengths of time they are required to keep data. In some cases, such as planning applications, this may be for a lifetime, but for other information e.g. correspondence this may only have a 2-year retention period.

What we would also like to do with it

We would however like to use your name and email address to inform you of service changes or offers such as green waste. This information is not shared with third parties and you can unsubscribe at any time via phone, email or our website. Please indicate below if this is something you would like to sign up to.

Please sign me up to receive details about future offers from Mid Sussex District Council.

What are your rights?

If at any point you believe the information we process on you is incorrect you request to see this information and even have it corrected or deleted. If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter.

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law, you can complain to the Information Commissioner's Office (ICO).

Our Data Protection Officer is Sheila Harris and you can contact them at foi@midsussex.gov.uk.

Appendix 3

GDPR Programme - Pdf Attached.

High Level Project Plan

1 February 2018 at 15:06

Project Schedule

ID	December	1Q 2018 January	February	March	2Q 2018 April	May	June	3Q Jul
1	GDPR							

Project Info for GDPR

Description GDPR Compliance Project Plan

Milestone Chart

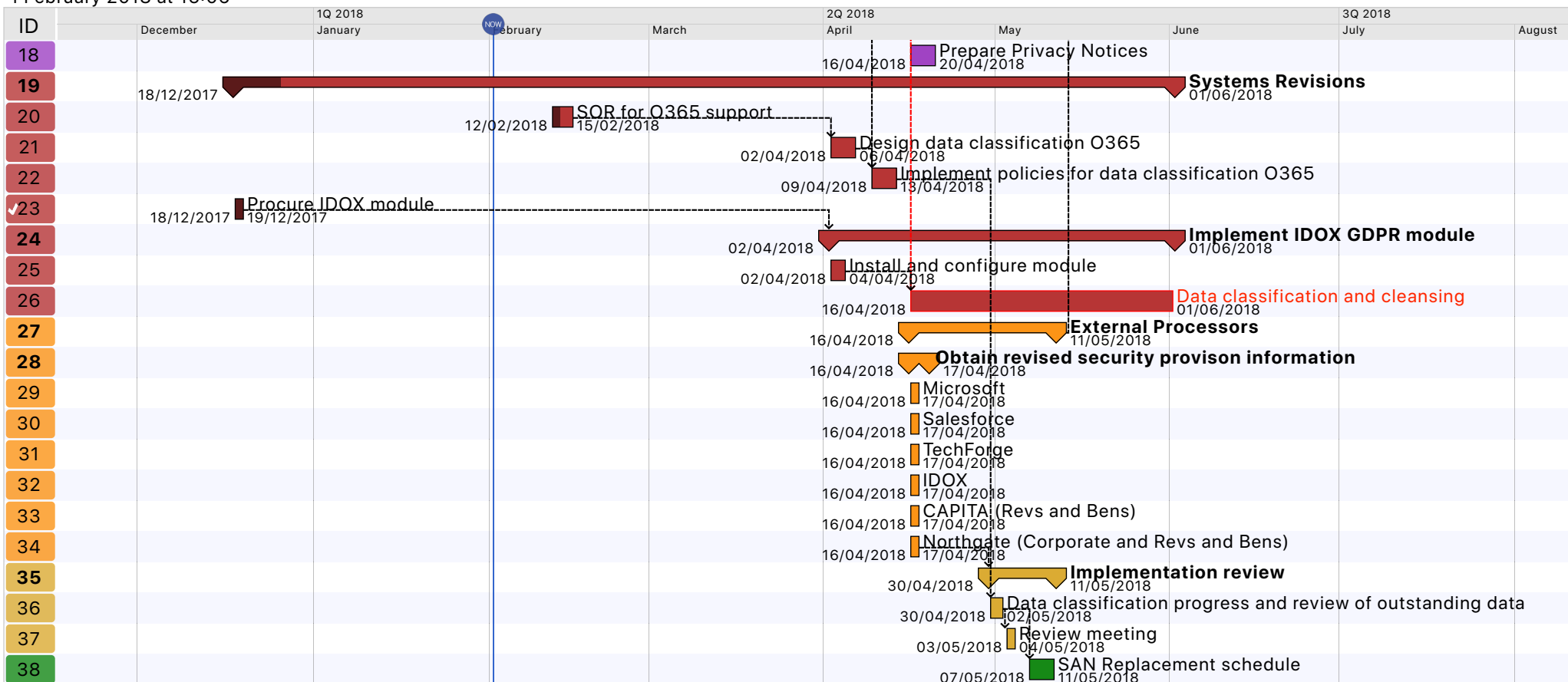
ID	8	9	10	11	12	13	14	15
5	BUL Briefing 20/03/2018							
7	Member Training 20/03/2018							

Task Chart for GDPR

ID	December	1Q 2018 January	February	March	2Q 2018 April	May	June	3Q 2018 July	August	
1	04/12/2017				30/03/2018					Communications and work planning
2	04/12/2017		08/12/2017							Introductory service briefings (information)
3			26/02/2018		09/03/2018					Preparing training materials
4			02/03/2018		08/03/2018					Revise Learning Pool Modules (5)
5					20/03/2018					BUL Briefing
6					19/03/2018		30/03/2018			Training and action planning sessions with teams
7					20/03/2018					Member Training
8	04/12/2017				18/05/2018					Data reviews and audits
9	04/12/2017		02/01/2018							Network drive audit
10					02/04/2018		10/04/2018			Data audit - where staff are currently holding data
11			05/03/2018		10/04/2018					Complete privacy impact assessments for new business systems
12					23/04/2018		18/05/2018			Reviewing consent actions on all paper forms
13					23/04/2018		18/05/2018			Reviewing consent actions on eforms
14					16/04/2018		18/05/2018			Policy and process updates
15					16/04/2018		20/04/2018			Update Breach Process
16							14/05/2018		18/05/2018	Update Information Security policies
17					16/04/2018		20/04/2018			Update Subject Access Request Process

High Level Project Plan

1 February 2018 at 15:06



Task List

ID	Task Name	Work	Start	End	% Done
1	Communications and work planning	30 days	Monday 04/12/2017	Friday 30/03/2018	29%
✓ 2	Introductory service briefings (information)	5 days	Monday 04/12/2017	Friday 08/12/2017	100%
3	Preparing training materials	10 days	Monday 26/02/2018	Friday 09/03/2018	25%
4	Revise Learning Pool Modules (5)	5 days	Friday 02/03/2018	Thursday 08/03/2018	20%
5	BUL Briefing	Milestone	Tuesday 20/03/2018	Tuesday 20/03/2018	0%
6	Training and action planning sessions with teams	10 days	Monday 19/03/2018	Friday 30/03/2018	0%
7	Member Training	Milestone	Tuesday 20/03/2018	Tuesday 20/03/2018	0%
8	Data reviews and audits	95.9	Monday 04/12/2017	Friday 18/05/2018	24%
✓ 9	Network drive audit	21.9 days	Monday 04/12/2017	Tuesday 02/01/2018	100%

High Level Project Plan

1 February 2018 at 15:06

ID	Task Name	Work	Start	End	% Done
10	Data audit - where staff are currently holding data	7 days	Monday 02/04/2018	Tuesday 10/04/2018	0%
11	Complete privacy impact assessments for new business systems	27 days	Monday 05/03/2018	Tuesday 10/04/2018	0%
12	Reviewing consent actions on all paper forms	20 days	Monday 23/04/2018	Friday 18/05/2018	0%
13	Reviewing consent actions on eforms	20 days	Monday 23/04/2018	Friday 18/05/2018	0%
14	Policy and process updates	20 days	Monday 16/04/2018	Friday 18/05/2018	0%
15	Update Breach Process	5 days	Monday 16/04/2018	Friday 20/04/2018	0%
16	Update Information Security policies	5 days	Monday 14/05/2018	Friday 18/05/2018	0%
17	Update Subject Access Request Process	5 days	Monday 16/04/2018	Friday 20/04/2018	0%
18	Prepare Privacy Notices	5 days	Monday 16/04/2018	Friday 20/04/2018	0%
19	Systems Revisions	54 days	Monday 18/12/2017	Friday 01/06/2018	6%
20	SOR for O365 support	4 days	Monday 12/02/2018	Thursday 15/02/2018	35%
21	Design data classification O365	5 days	Monday 02/04/2018	Friday 06/04/2018	0%
22	Implement policies for data classification O365	5 days	Monday 09/04/2018	Friday 13/04/2018	0%
✓23	Procure IDOX module	2 days	Monday 18/12/2017	Tuesday 19/12/2017	100%
24	Implement IDOX GDPR module	38 days	Monday 02/04/2018	Friday 01/06/2018	0%
25	Install and configure module	3 days	Monday 02/04/2018	Wednesday 04/04/2018	0%
26	Data classification and cleansing	35 days	Monday 16/04/2018	Friday 01/06/2018	0%
27	External Processors	22 days	Monday 16/04/2018	Friday 11/05/2018	0%
28	Obtain revised security provision information	12 days	Monday 16/04/2018	Tuesday 17/04/2018	0%
29	Microsoft	2 days	Monday 16/04/2018	Tuesday 17/04/2018	0%
30	Salesforce	2 days	Monday 16/04/2018	Tuesday 17/04/2018	0%
31	TechForge	2 days	Monday 16/04/2018	Tuesday 17/04/2018	0%
32	IDOX	2 days	Monday 16/04/2018	Tuesday 17/04/2018	0%
33	CAPITA (Revs and Bens)	2 days	Monday 16/04/2018	Tuesday 17/04/2018	0%
34	Northgate (Corporate and Revs and Bens)	2 days	Monday 16/04/2018	Tuesday 17/04/2018	0%
35	Implementation review	10 days	Monday 30/04/2018	Friday 11/05/2018	0%
36	Data classification progress and review of outstanding data	3 days	Monday 30/04/2018	Wednesday 02/05/2018	0%
37	Review meeting	2 days	Thursday 03/05/2018	Friday 04/05/2018	0%
38	SAN Replacement schedule	5 days	Monday 07/05/2018	Friday 11/05/2018	0%

7. OVERVIEW OF COMPLAINTS – 2016/2017

REPORT OF: Simon Hughes, Head of Digital and Customer Services
Contact Officer: Karen Speirs, Customer Services Manager, Customer Services and Communications
Email: karen.speirs@midsussex.gov.uk
Tel: 01444 477510
Wards Affected: (All)
Key Decision: No
Report to: Scrutiny Committee for Customer Service and Service Delivery
Date of meeting 13th February 2018

Purpose of Report

1. To provide Members with annual information about formal complaints received by the Council from 1st April 2016 to 31st March 2017. It also summarises the complaints referred to the Local Government Ombudsman (LGO) during the same period.

Background

2. In 2016/17 the Council received 207 complaints, an increase compared to 171 in the previous year. All complaints were investigated and responded to, mostly within the target times set out within the Council's complaints procedure. In the same period the Council also received 357 compliments. Both the number of complaints and compliments have increased this year. More complaints does not necessarily mean increased service issues. Increasing awareness of the complaints process is important as complaints and compliments provide an opportunity to review procedures and initiate improvements if needed.
3. The LGO received 16,863 complaints and enquiries which was a reduction from 2015/16 and 54% of their investigations were upheld, which increased from 51% the previous year. A complaint is classed as upheld if the LGO find some fault in the way the local authority acted. This includes where it has been acknowledged that a fault has been made and action offered to be taken, but the person still requires an independent review. For the Council this is normally when the complainant, having received a response from the Business Unit Leader at stage one and then by an independent Head of Service at stage two, is still dissatisfied with the outcome of their complaint.

Recommendations

4. **Members are recommended to:**

Note the report.

Complaints Process

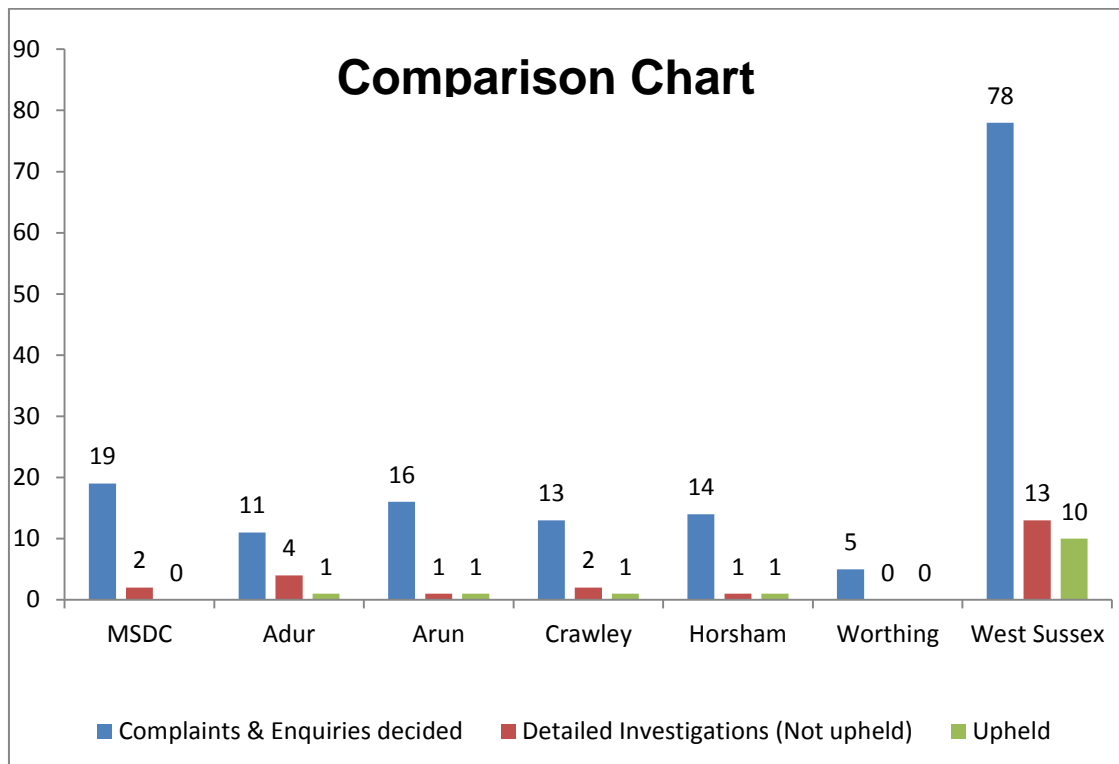
5. The Council has a formal complaints procedure, a copy is attached at appendix B. A summary of all complaints and compliments received are reported to the Portfolio Holder for Customer Services on a monthly basis and reviewed by Business Unit Leaders at their bi-monthly meeting. We are also preparing a monthly report for Business Unit Leaders and Heads of Service to summarise complaints in progress and resolved.

Complaints and Enquiries received from LGO

6. Complaints and enquiries received by The Local Government Ombudsman (LGO) for Mid Sussex District Council for the period 1st April 2016 to 31st March 2017 are detailed below. A copy of this annual review letter can be found at Appendix A.
7. The numbers of complaints and enquiries received do not always equate as a number of complaints will have been received by the LGO during the year, but decisions are reached on them in different business years.
8. For comparison, during 1st April 2016 to 31st March 2017, the LGO received complaints and enquiries from neighbouring local authorities as follows:

Adur	Arun	Crawley	Horsham	Mid Sussex	Worthing	West Sussex County Council
9	16	14	18	16	5	82

9. Decisions made by the LGO for the period 1st April 2016 to 31st March 2017 in West Sussex were as follows:



** Upheld complaints are those where the LGO finds some fault in the way a council acted, even if it has agreed to put things right during the course of the investigation or has accepted it needs to remedy the situation before the complainant made the complaint.

8. The two detailed investigations undertaken by the LGO for complaints by Mid Sussex residents were for Planning and Development. Upon investigation these were not upheld. **In comparison in 2015/16 six detailed investigations took place and two of these were upheld.**

Service	Details of Complaint	LGO Summary
Planning and Development	Procedure in considering planning applications.	No fault in the way the Council considered a planning application and ensured compliance with a permission issued by a Planning Inspector.
Planning and Development	Misleading information in Mid Sussex Matters about the Burgess Hill Town Centre redevelopment.	No fault in the way in which a major planning application for redevelopment was determined.

No complaints were upheld.

The other complaints submitted to the LGO were as follows:

Service	LGO Summary
Benefits and Tax	Referred back for local resolution
Benefits and Tax	Referred back for local resolution
Benefits and Tax	Closed after initial enquiries.
Corporate & Other Services	Closed after initial enquiries.
Corporate & Other Services	Closed after initial enquiries.
Corporate & Other Services	Closed after initial enquiries.
Corporate & Other Services	Referred back for local resolution.
Highways and Transport	Incomplete/Invalid
Housing	Closed after initial enquiries.
Housing	Referred back for local resolution.
Planning and Development	Referred back for local resolution
Planning and Development	Closed after initial enquiries.
Planning and Development	Closed after initial enquiries.
Planning and Development	Closed after initial enquiries.
Planning and Development	Closed after initial enquiries.
Planning and Development	Closed after initial enquiries.
Planning and Development	Closed after initial enquiries.

Financial Implications

10. There are no financial implications.

Risk Management Implications

11. Complaints that indicate process risks are reviewed by the Business Unit Leaders to ensure appropriate mitigation is in place.

Equality and Customer Service Implications

12. Complaints are an opportunity to improve service and staff performance. Each complaint is reviewed to highlight any service failures that need to be addressed to prevent a recurrence. Where complaints, even if not upheld, indicate that services or information can be improved for customers then action is taken.

Other Material Implications

13. There are no other material implications arising from this report.

Appendices:

LGO Annual Review letter of 2017 - Appendix A

Council's complaints procedure – Appendix B

<http://www.midsussex.gov.uk/media/76948/current-msdc-complaints-procedure-amended-feb-2016.pdf>

Background Papers

Link to Local Ombudsman upholding more complaints about local government –

<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/local-government-complaint-reviews>

<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

20 July 2017

By email

Kathryn Hall
Chief Executive
Mid Sussex District Council

Dear Kathryn Hall,

Annual Review letter 2017

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGO) about your authority for the year ended 31 March 2017. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

The reporting year saw the retirement of Dr Jane Martin after completing her seven year tenure as Local Government Ombudsman. I was delighted to be appointed to the role of Ombudsman in January and look forward to working with you and colleagues across the local government sector in my new role.

You may notice the inclusion of the '*Social Care Ombudsman*' in our name and logo. You will be aware that since 2010 we have operated with jurisdiction over all registered adult social care providers, able to investigate complaints about care funded and arranged privately. The change is in response to frequent feedback from care providers who tell us that our current name is a real barrier to recognition within the social care sector. We hope this change will help to give this part of our jurisdiction the profile it deserves.

Complaint statistics

Last year, we provided for the first time statistics on how the complaints we upheld against your authority were remedied. This year's letter, again, includes a breakdown of upheld complaints to show how they were remedied. This includes the number of cases where our recommendations remedied the fault and the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. In these latter cases we provide reassurance that your authority had satisfactorily attempted to resolve the complaint before the person came to us.

We have chosen not to include a 'compliance rate' this year; this indicated a council's compliance with our recommendations to remedy a fault. From April 2016, we established a new mechanism for ensuring the recommendations we make to councils are implemented, where they are agreed to. This has meant the recommendations we make are more specific, and will often include a time-frame for completion. We will then follow up with a council and seek evidence that recommendations have been implemented. As a result of this new process, we plan to report a more sophisticated suite of information about compliance and service improvement in the future.

This is likely to be just one of several changes we will make to our annual letters and the way we present our data to you in the future. We surveyed councils earlier in the year to find out, amongst other things, how they use the data in annual letters and what data is the most useful; thank you to those officers who responded. The feedback will inform new work to

provide you, your officers and elected members, and members of the public, with more meaningful data that allows for more effective scrutiny and easier comparison with other councils. We will keep in touch with you as this work progresses.

I want to emphasise that the statistics in this letter comprise the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, but who may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

The statutory duty to report Ombudsman findings and recommendations

As you will no doubt be aware, there is duty under section 5(2) of the Local Government and Housing Act 1989 for your Monitoring Officer to prepare a formal report to the council where it appears that the authority, or any part of it, has acted or is likely to act in such a manner as to constitute maladministration or service failure, and where the LGO has conducted an investigation in relation to the matter.

This requirement applies to all Ombudsman complaint decisions, not just those that result in a public report. It is therefore a significant statutory duty that is triggered in most authorities every year following findings of fault by my office. I have received several enquiries from authorities to ask how I expect this duty to be discharged. I thought it would therefore be useful for me to take this opportunity to comment on this responsibility.

I am conscious that authorities have adopted different approaches to respond proportionately to the issues raised in different Ombudsman investigations in a way that best reflects their own local circumstances. I am comfortable with, and supportive of, a flexible approach to how this duty is discharged. I do not seek to impose a proscriptive approach, as long as the Parliamentary intent is fulfilled in some meaningful way and the authority's performance in relation to Ombudsman investigations is properly communicated to elected members.

As a general guide I would suggest:

- Where my office has made findings of maladministration/fault in regard to routine mistakes and service failures, and the authority has agreed to remedy the complaint by implementing the recommendations made following an investigation, I feel that the duty is satisfactorily discharged if the Monitoring Officer makes a periodic report to the council summarising the findings on all upheld complaints over a specific period. In a small authority this may be adequately addressed through an annual report on complaints to members, for example.
- Where an investigation has wider implications for council policy or exposes a more significant finding of maladministration, perhaps because of the scale of the fault or injustice, or the number of people affected, I would expect the Monitoring Officer to consider whether the implications of that investigation should be individually reported to members.
- In the unlikely event that an authority is minded not to comply with my recommendations following a finding of maladministration, I would always expect the Monitoring Officer to report this to members under section five of the Act. This is an exceptional and unusual course of action for any authority to take and should be considered at the highest tier of the authority.

The duties set out above in relation to the Local Government and Housing Act 1989 are in addition to, not instead of, the pre-existing duties placed on all authorities in relation to Ombudsman reports under The Local Government Act 1974. Under those provisions, whenever my office issues a formal, public report to your authority you are obliged to lay that report before the council for consideration and respond within three months setting out the action that you have taken, or propose to take, in response to the report.

I know that most local authorities are familiar with these arrangements, but I happy to discuss this further with you or your Monitoring Officer if there is any doubt about how to discharge these duties in future.

Manual for Councils

We greatly value our relationships with council Complaints Officers, our single contact points at each authority. To support them in their roles, we have published a Manual for Councils, setting out in detail what we do and how we investigate the complaints we receive. When we surveyed Complaints Officers, we were pleased to hear that 73% reported they have found the manual useful.

The manual is a practical resource and reference point for all council staff, not just those working directly with us, and I encourage you to share it widely within your organisation. The manual can be found on our website www.lgo.org.uk/link-officers

Complaint handling training

Our training programme is one of the ways we use the outcomes of complaints to promote wider service improvements and learning. We delivered an ambitious programme of 75 courses during the year, training over 800 council staff and more 400 care provider staff. Post-course surveys showed a 92% increase in delegates' confidence in dealing with complaints. To find out more visit www.lgo.org.uk/training

Yours sincerely



Michael King
Local Government and Social Care Ombudsman for England
Chair, Commission for Local Administration in England

For further information on how to interpret our statistics, please visit our website:
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
0	3	4	0	0	1	2	6	0	16

Decisions made

Decisions made				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
1	0	5	11	2	0	0%	19

Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.
 The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

Complaints Remedied

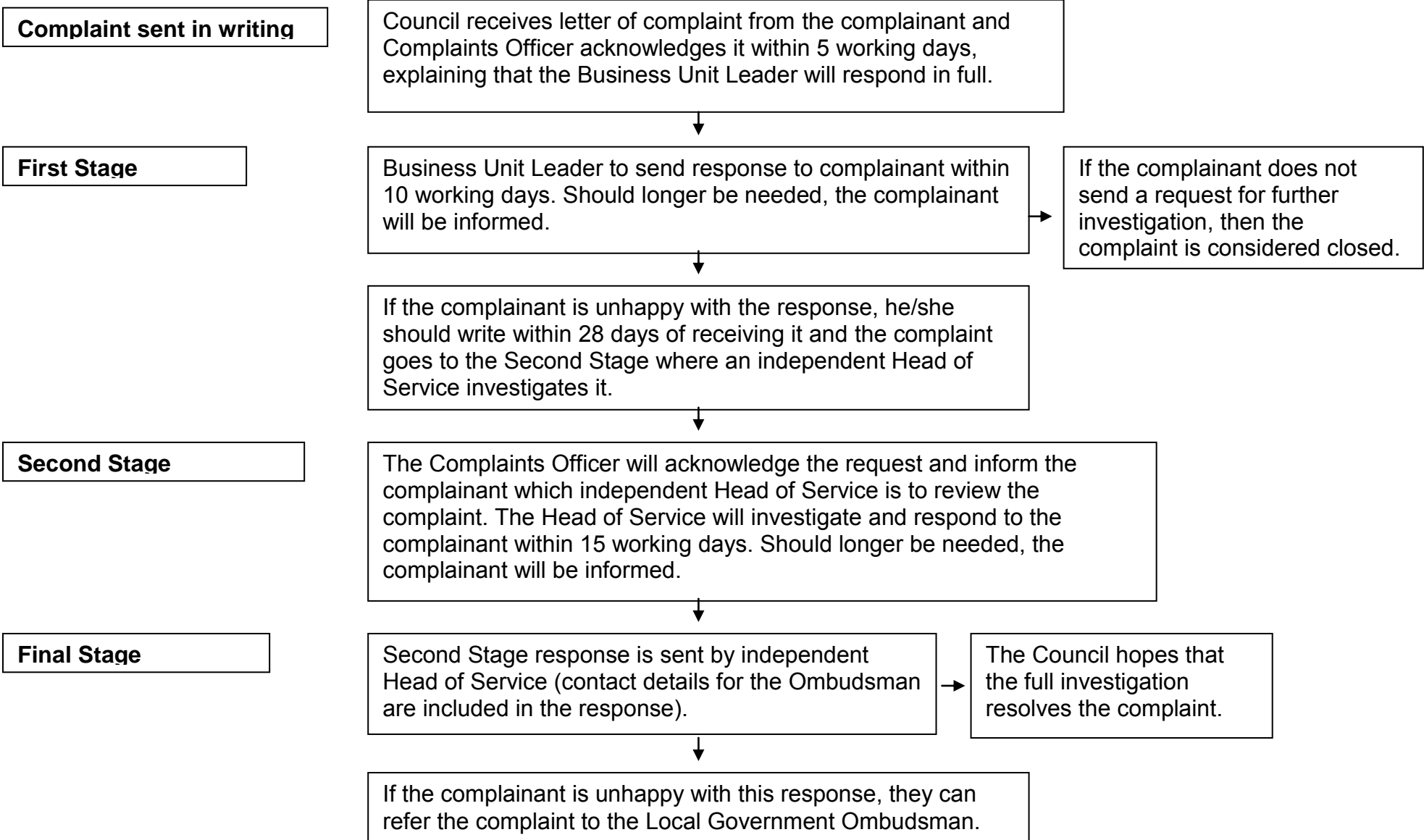
by LGO

Satisfactorily by Authority before LGO Involvement

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Complaints Procedure



1.0 Introduction

- 1.1 The Complaints Procedure applies to complaints against any service area where a request has not been resolved to the satisfaction of the complainant. Any complaint concerning an elected Member, which may be in breach of the Members' code of conduct, will be put through the Standards Committee procedure. Similarly, if a complaint involves the conduct of an employee raising disciplinary concerns, it will be handled through the disciplinary route.
- 1.2 The aim of the procedure is to ensure that all complaints are dealt with in a fair, consistent and thorough manner. Where complaints are justified, the Council aims to remedy the situation and, when possible, resolve the issue to the satisfaction of the complainant. It is important that all responses to complainants should be written in a constructive manner, even if the Council cannot resolve the issue concerned.
- 1.3 A complaint (for the purposes of this Complaints Procedure) is an expression of dissatisfaction about the actions, or lack of actions, by the Council or its staff affecting a person or group. Complaints do not cover requests for a service, requests for information or explanation of Council policy, practice or actions taken, or matters for which there is another right of appeal (an appeal within the Council or to an independent inquiry or tribunal) or a legal remedy.
- 1.4 The procedure does not cover the opinion of an officer in the granting or refusal of planning permission, or a decision taken by a Planning Committee on a planning application. The procedure applies to matters relating to planning applications where it is alleged that there has been some failure of the Council's procedures. If the type of complaint is such that it cannot be agreed whether or not the complaint should be dealt with under the procedure, the Solicitor to the Council will decide if the procedure should apply. If it is decided that the procedure should not apply, the complainant will be helped with his/her complaint by the Ombudsman.
- 1.5 The procedure is to cover the Council's relationship with those outside the organisation and will not, therefore, cover complaints from members of staff concerning their employment. These will be dealt with in line with the Council's employment policies and procedures.
- 1.6 The Complaints Officer, for the purpose of this Complaints Procedure, will be the Senior Customer Services Officer who reports to the Business Unit Leader for Customer Services and Communications.
- 1.7 The Complaints Officer will keep a register of all complaints received and will enter in the register details of the complaints, results of the findings and actions taken. The Complaints Officer will also produce a

Complaints and Compliments Annual Report which is taken to the Performance and Scrutiny Committee.

2.0 Making a complaint

- 2.1 It is important that all complaints are in writing. This can be a letter, either direct to the Complaints Officer or received from a Member of the Council on behalf of a complainant, an e-mail or an on-line form via the Council's website. When requested by the complainant, a complaint may be written out for the complainant by a member of the Council's staff (see 2.3 below).
- 2.2 Where a complaint is initially received orally, the potential complainant will be asked to put the complaint in writing.
- 2.3 Council staff will help a member of the public making the complaint and will write the complaint out for the complainant, if requested to do so. Where possible, the staff member will agree the wording of the complaint with the complainant, before it is submitted.
- 2.4 Where it appears possible to resolve that complaint without the need to take further formal steps, the staff member will try to resolve the complaint to the satisfaction of the complainant. If it is not possible to resolve the complaint at this stage, the action in 2.2 above will be followed.
- 2.5 Once a complaint in writing is received via the website or by letter by the Complaints Officer, it will be acknowledged and then referred to the Business Unit Leader (BUL) responsible for the service. The BUL will be asked to fully investigate the complaint and write a report.
- 2.6 If a complaint is sent direct to the Business Unit Leader (BUL) of the service area concerned, they will send a copy of the complaint to the Complaints Officer **within one working day of receipt**, so that the Complaints Officer can acknowledge the complaint.

3.0 Actions to be taken following registration of a complaint

- 3.1 Upon receipt of the complaint, the Complaints Officer will acknowledge in writing that it has been registered and is being investigated. An acknowledgement will normally be given no later than **five working days** following receipt of the complaint. If the complaint is received via a Member of the Council, a copy of the letter of acknowledgement should also be sent to that Councillor.
- 3.2 The BUL should make sure the investigation is completed and a report written **within ten working days** of when the complaint is made. When it appears that it will not be possible to complete the investigation within ten days, either the Complaints Officer or BUL will write to the

complainant explaining the reasons for the delay, giving a target date for completion. Where the complaint relates to the Freedom of Information Act, the Business Unit Leader will liaise with the Solicitor to the Council.

- 3.3 From the information obtained, the Business Unit Leader will decide if the complaint was justified and what action to take. In special cases, he/she may carry out further investigation, if necessary. If this will delay the result of the investigation being given, the complainant and Complaints Officer will be informed, in writing.
- 3.4 Where officers have tried to resolve the complaint, these actions will be clearly explained in the written response to the complainant. Similarly, if any steps have been taken to change Council procedures or to improve service delivery as a result of the complaint, these shall be clearly explained too.
- 3.5 The letter sent to the complainant at this stage will include details about a right of appeal to an independent Head of Service (not responsible for the service concerned) to further investigate the matter. The complainant will be advised that if he/she wishes to appeal that they should contact the Complaints Officer who will send the complaint to a Head of Service. Cases will be sent to Heads of Service on a rotational basis.

4.0 Appealing

- 4.1 Once an appeal is received, the independent Head of Service who the complaint has been allocated to, will ask the Business Unit Leader involved to supply a copy of the report on the complaint together with any other important information. At this time, the Complaints Officer will send an acknowledgement of the appeal to the complainant.
- 4.2 The Head of Service will consider the information and decide if further investigation is needed. If the Head of Service decides that further investigation is needed, he/she may require such further steps to be taken.
- 4.3 The Head of Service will complete investigations within **fifteen working days** and will write to the complainant to tell him/her if the appeal has been successful and of any further steps are to be taken.
- 4.4 The letter from the Head of Service will include information about a right of appeal giving details of how to make a complaint to the Local Government Ombudsman. If it is a Freedom of Information Act complaint, then the complaint needs to be made with the Information Commissioner. A copy of the letter will be sent to the Complaints Officer, the Business Unit Leader concerned and to the Head of Service responsible for the service.

5.0 Actions to be taken at the end of the complaints process

- 5.1 The complaints process ends when either the appeal to an independent Head of Service has been completed or, in the case of a complaint that does not proceed to appeal, when the complainant states that he/she does not want the complaint to go any further. If no further contact is received, **after 28 days** from the date of the letter referred to in paragraph 4.3 being sent then the complaint is ended, considered resolved.
- 5.2 Management Team will receive a quarterly report on complaints and compliments as well as an annual report ahead of the Performance and Scrutiny Committee. The Complaints and Compliments Annual Report will contain details of service improvements made as a result of complaints dealt with.
- 5.3 The Report will invite the Performance and Scrutiny Committee to call for further reports on any specific areas of concern and to make any recommendations about service improvements they consider appropriate.

6.0 Habitual or vexatious complainants

- 6.1 This outlines cases where a complainant, either individually or as part of a group, or a group of complainants, might be considered to be 'habitual or vexatious' and ways of responding to these situations. The term 'habitual' means 'done repeatedly or as a habit'. The term 'vexatious' means 'denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant'. This procedure tries to help in these kinds of cases.
- 6.2 Habitual or vexatious complainants can be a problem for Council staff and members. The difficulty in handling such complainants is that they are time-consuming and wasteful of resources in terms of Officer and Member time using resources that could be spent on Council priorities. While the Council tries to respond with patience and sympathy to the needs of all complainants, there are times when there is nothing further which can reasonably be done.
- 6.3 The following definition of habitual or vexatious complainants will be used: The repeated and/or obsessive pursuit of:
 - (i) unreasonable complaints and/or unrealistic outcomes; and/or
 - (ii) reasonable complaints in an unreasonable manner.

Before considering using this, the Solicitor to the Council will send a summary of this procedure to the complainant.

- 6.4 Where complaints continue and have been identified as habitual or vexatious, the Solicitor to the Council (following discussions with the

service Business Unit Leader) will take a report to the Management Team for agreement to treat the complainant as a habitual or vexatious complainant and for an appropriate course of action to be taken.

- 6.5 The Solicitor to the Council will inform complainants, in writing, of the reasons why their complaint has been treated as habitual or vexatious and the action that will be taken. The Solicitor to the Council will also notify the Mid Sussex District Council Ward Member that a resident has been termed as a habitual or vexatious complainant.
- 6.6 Once a complainant has been termed as habitual or vexatious, their status will be kept under review **after one year** and monitored by the Solicitor to the Council with reports being taken to the Management Team, as required. If a complainant then shows a more reasonable approach then their status will be reviewed.
- 6.7 Complainants (and/or anyone acting on their behalf) may be termed as habitual or vexatious if previous or current contact with them shows that they meet **one** of the following :
- Where complainants:
- Continue with a complaint where the Council's complaints process has been fully and properly used and exhausted.
 - Continue changing the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions while the complaint is being addressed. (Care must be taken, however, not to ignore new issues, which are very different from the original complaint, as they need to be addressed as separate complaints.)
 - Are repeatedly unwilling to accept documented evidence given as being factual or deny receipt of an adequate response in spite of correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to prove when a long period of time has passed.
 - Repeatedly do not clearly identify the exact issues which they wish to be investigated, despite reasonable efforts of the Council to help them specify their concerns, and/or where the concerns identified are not within the remit of the Council to investigate.
 - Regularly focus on a trivial matter, to an extent that is out of proportion to its significance, and continue to focus on this point. It is recognised that determining what is a trivial matter can be subjective and careful judgement will be used in applying this criteria.
 - Have threatened or used physical violence towards employees at any time. This will, in itself, cause personal contact with the complainant and/or their representative to be stopped and the complaint will only be continued through written communication. The Council has decided that any complainant who threatens or uses actual physical violence towards employees will be regarded as a vexatious complainant. The complainant will be

informed of this in writing together with notification of how future contact with the Council is to be made.

- Have, in the course of addressing a registered complaint, had an excessive number of contacts with the Council – placing unreasonable demands on employees. A contact may be in person, by telephone, letter, email or fax. Judgement will be used to decide what is excessive contact taking into account the specific circumstances of each individual case.
- Have harassed or been verbally abusive on more than one occasion towards employees dealing with the complaint. Employees recognise that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. (Some complainants may have a mental health disability and there is a need to be sensitive in circumstances of that kind.)
- Are known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved.
- Make unreasonable demands on the Council and its employees, failing to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the Council's complaints procedure or normal recognised practice.
- Make unreasonable complaints which put a significant pressure on the resources of the Council and where the complaint:
 - clearly does not have any serious purpose or value; or
 - is designed to cause disruption or annoyance; or
 - has the effect of harassing the public authority; or
 - can otherwise fairly be characterised as obsessive or manifestly unreasonable.

Make many complaints which ignore the replies Council Officers have supplied.

6.8 Options for dealing with habitual or vexatious complainants can be used on their own or together depending on the case and whether or not the complaint process is ongoing or completed.

- A letter to the complainant setting out responsibilities for the parties involved if the Council is to continue processing the complaint. If terms are ignored, consideration will then be given to using other action as shown below.
- Decline contact with the complainant, either in person, by telephone, by fax, by letter, by email or any mix of these, provided that one form of contact is kept up. This may also mean that only one named officer will be nominated to keep contact (and a named deputy in their absence). The complainant will be notified of this person.
- Notify the complainant, in writing, that the Council has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing

contact on the matter will serve no useful purpose. The complainant will also be informed that the correspondence is at an end, advising the complainant that they are being treated as a habitual or vexatious complainant and the Council does not intend to engage in further correspondence dealing with the complaint.

- Inform the complainant that in special cases the Council will seek legal advice on habitual or vexatious complaints.
- Temporarily suspend all contact with the complainant, in connection with the issues relating to the complaint being considered habitual or vexatious, while seeking advice or guidance from the Solicitor to the Council or other relevant agencies, such as the Local Government Ombudsman or External Auditor.

February 2016

8. SCRUTINY COMMITTEE FOR CUSTOMER SERVICES AND SERVICE DELIVERY WORK PROGRAMME 2017/18

REPORT OF: Tom Clark, Head of Regulatory Services
Contact Officer: Alexander Austin, Member Services Officer
Email: alexander.austin@midsussex.gov.uk
Tel: 01444 477067
Wards Affected: All
Key Decision: No

Purpose of Report

1. For the Scrutiny Committee for Customer Services and Service Delivery to note its Work Programme for 2017/18.

Summary

2. Members are asked to note the attached Work Programme. The Work Programme will be reviewed as the final piece of business at each meeting, enabling additional business to be agreed as required.

Recommendations

3. **The Committee are recommended to note the Committee's Work Programme as set out at paragraph 5 of this report.**
-

Background

4. It is usual for Committees to agree their Work Programme at the first meeting of a new Council year and review it at each subsequent meeting to allow for the scrutiny of emerging issues during the year.

The Work Programme

5. The Committee's Work Programme for 2017/18 is set out below:

13 March 2018	Reason for Inclusion
Landscapes Annual Report	To update Members on the Council's Landscaping operations.
Waste Management, Recycling and Street Cleansing Services – Contract Review	To update Members on the Waste Management, Recycling and Street Cleansing Services.

Policy Context

6. The Work Programme should ideally reflect the key priorities of the Council, as defined in the Corporate Plan and Budget.

Financial Implications

7. None.

Risk Management Implications

8. None.

Background Papers

None.