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## Notice of Meeting and Agenda Audit, Risk and Scrutiny Board

Date	Time	Venue
Monday, 22 January 2018	10:00	Corporate Meeting Room 1, Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

KENNETH GRAHAM Head of Corporate Governance

#### Membership

Councillor Tom Begg: Councillor Stephen Burns: Councillor Michelle Campbell: Councillor Alison Jean Dowling: Councillor Neill Graham: Councillor Jim Harte: Councillor Emma Rodden:

Councillor Bill Binks (Convener): Councillor Jim Sharkey (Depute Convener):

#### **Members of the Press and Public**

Members of the press and public wishing to attend the meeting should report to the customer service centre where they will be met and directed to the meeting.

#### **Further Information**

This is a meeting which is open to members of the public.

A copy of the agenda and reports for this meeting will be available for inspection prior to the meeting at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley and online at www.renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx

For further information, please either email <a href="mailto:democratic-services@renfrewshire.gov.uk">democratic-services@renfrewshire.gov.uk</a> or telephone 0141 618 7112.

#### Items of business

### **Apologies**

Apologies from members.

#### **Declarations of Interest**

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

1	Audit Scotland Annual Audit Plan 2017/18	3 - 20
	Report by Director of Finance & Resources.	
2	Scottish Public Services Ombudsman (SPSO) Annual	21 - 32
	Report 2016/17	
	Report by Director of Finance & Resources.	
3	Fly-Tipping in the Countryside and at known Fly-Tipping	33 - 44
	Spots (Lead Officer Karen Locke)	
	Report by Lead Officer.	
4	Review of Housing Repairs by Council and Outside	45 - 62
	Contractors (Lead Officer Colin Hunter)	
	Report by Lead Officer.	



**To:** Audit, Risk and Scrutiny Board

**On:** 22 January 2018

**Report by:** Director of Finance and Resources

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Heading: Audit Scotland Annual Audit Plan 2017/18

#### 1. Summary

1.1 Based on their analysis of the risks facing the Council, Audit Scotland have submitted an audit plan which outlines their approach to the audit of the 2017/18 financial statements of the Council and the charities it controls in order to assess whether they provide a true and fair view of the financial position of the council, and also whether they have been prepared in accordance with proper accounting practice i.e. the 2017 Code of Practice on Local Authority Accounting in the UK.

1.2 The Plan outlines the responsibilities of Audit Scotland and the council; their assessment of key challenges and risks and the approach and timetable for completion of the audit.

#### 2. Recommendations

2.1 Members are asked to note the content of the attached reports.

#### Implications of the Report

- 1. **Financial** An unqualified audit opinion demonstrates the council has effective systems of internal control in place.
- 2. HR & Organisational Development None
- 3. **Community Planning** None
- Legal an audit opinion free from qualification demonstrates compliance with the statutory accounting requirements set out in the Local Government (Scotland) Act 1973.
- 5. **Property/Assets** None
- 6. **Information Technology** None
- 7. **Equality & Human Rights** The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
- 8. **Health & Safety None**
- 9. **Procurement** None
- 10. **Risk** the audit plan highlights audit issues and risks, and the approach Audit Scotland will adopt in seeking assurance that these risks are being managed.
- 11. **Privacy Impact** None
- 12. **COSLA Policy position** None

#### **List of Background Papers**

(a) None

Author: Alastair MacArthur Ext 7363

# Renfrewshire Council

**Annual Audit Plan 2017/18** 

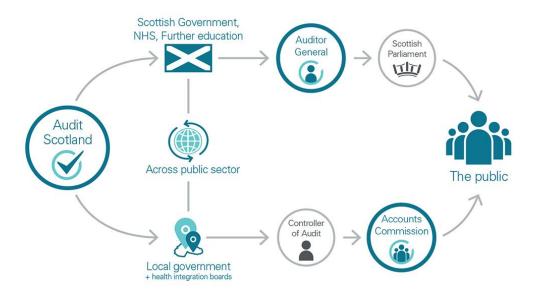


Prepared for Renfrewshire Council 22 January 2018

#### Who we are

The Auditor General, the Accounts Commission and Audit Scotland work together to deliver public audit in Scotland:

- The Auditor General is an independent crown appointment, made on the recommendation of the Scottish Parliament, to audit the Scottish Government, NHS and other bodies and report to Parliament on their financial health and performance.
- The Accounts Commission is an independent public body appointed by Scottish ministers to hold local government to account. The Controller of Audit is an independent post established by statute, with powers to report directly to the Commission on the audit of local government.
- Audit Scotland is governed by a board, consisting of the Auditor General, the chair of the Accounts Commission, a non – executive board chair, and two non – executive members appointed by the Scottish Commission for Public Audit, a commission of the Scottish Parliament.



#### **About us**

Our vision is to be a world – class audit organisation that improves the use of public money.

Through our work for the Auditor General and the Accounts Commission, we provide independent assurance to the people of Scotland that public money is spent properly and provides value. We aim to achieve this by:

- carrying out relevant and timely audits of the way the public sector manages and spends money
- · reporting our findings and conclusions in public
- identifying risks, making clear and relevant recommendations.

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# Risks and planned work

1. This annual audit plan contains an overview of the planned scope and timing of our audit and is carried out in accordance with International Standards on Auditing (ISAs), the *Code of Audit Practice*, and any other relevant guidance. This plan identifies our audit work to provide an opinion on the financial statements and related matters and meet the wider scope requirements of public sector audit including the new approach to Best Value. The wider scope of public audit contributes to conclusions on the appropriateness, effectiveness and impact of corporate governance, performance management arrangements and financial sustainability.

#### **Audit risks**

**2.** Based on our discussions with staff, attendance at committee meetings and a review of supporting information we have identified the following main risk areas for Renfrewshire Council. We have categorised these risks into financial risks and wider dimension risks. The key audit risks, which require specific audit testing, are detailed in Exhibit 1.

#### Exhibit 1 2017/18 Key audit risks

A	udit Risk	Management's source of assurance	Planned audit work
Fi	nancial statement issues and risk	s	
1	Risk of management override of controls	Owing to the nature of this risk, assurances from management are not applicable in this instance.	Detailed testing of journal entries.
	ISA 240 requires that audit work is planned to consider the risk of		Review of accounting estimates.
	fraud, which is presumed to be a significant risk in any audit. This includes consideration of the risk		Focused testing of accruals and prepayments.
	of management override of controls in order to change the position disclosed in the financial statements.		Evaluation of significant transactions that are outside the normal course of business.
2	Risk of fraud over income	The council has well	Analytical procedures on
	ISA 240 presumes a risk of fraud over income.	developed processes for the authorisation, separation of	income streams.  Detailed testing of transactions
	Renfrewshire Council receives a significant amount of income in addition to Scottish Government funding. The extent and complexity of income means that, in accordance with ISA240, there	duties and workflow associated with the Councils income streams. Clear schemes of delegation and the authorised signatory databases are regularly updated. Financial systems have authorisation	focusing on the areas of greatest risk.

process in-built to ensure the

A	udit Risk	Management's source of assurance	Planned audit work
	is an inherent risk of fraud.	risk of fraud is minimised. The audit plan which internal audit complete will include a range of systems testing across income and expenditure processes, with recommendations being monitored for implementation.	
		The council has established a Counter Fraud Team who have been actively raising awareness of both financial and non-financial fraud risks through a series of training events targeted at key personnel.	
3	Risk of fraud and expenditure  The risk of fraud over income presumed by ISA 240 is expanded to include fraud over expenditure in the public sector by the Code of Audit Practice.  The risk of fraud over expenditure also applies due to the variety and extent of expenditure made by the council in delivering services.	The council has well developed processes for the authorisation, separation of duties and workflow associated with the Councils expenditure. Clear schemes of delegation and authorised signatory databases are regularly updated. Financial systems have authorisation process inbuilt to ensure the risk of fraud is minimised. The audit plan which internal audit complete will include a range of systems testing across income and expenditure processes, with recommendations being monitored for implementation.  The council has established a Counter Fraud Team who have been actively raising awareness of both financial and non-financial fraud risks through a series of training events targeted at key personnel.	Analytical procedures on expenditure streams.  Detailed testing of transactions focusing on the areas of greatest risk.
4	Estimates and Judgements  There is a significant degree of subjectivity in the measurement and valuation of the material account areas of non current assets, pensions and provisions.  The council holds a material amount of assets at fair value. The valuations are significant estimates which are based on specialist and management assumptions.  The council's net liability relating	Where estimates are required those are based on the best information available and on a professional and prudent approach.	Review the external revaluations performed in the year, assessing whether they have been performed in a reasonable manner, on a timely basis and by suitably qualified individuals.  Review of the pension actuary and the assumptions made in calculating the estimated pension liability.  Review the provision for doubtful debts to assess

#### **Audit Risk** Planned audit work Management's source of assurance to the Strathclyde Pension Fund whether it is reasonable and at 31 March 2017 was £335 complete based on the million. This value is an estimate perceived risk that the debt will based on a number of not be recovered, and in line assumptions from the pension with historic experience. fund actuary. For any other areas of At 31 March 2017 the council estimation and judgement we held a provision for doubtful will carry out focussed debts of £23 million. This substantive testing of provisions provision is based on the and accruals. assessed likelihood that debts are recoverable. This subjectivity represents an increased risk of material misstatement in the financial statements. 5 Capacity of finance function Regular meetings with The finance team operate to a clearly understood year end management. A risk around the capacity of the timetable and procedures, finance function was raised in our Focussed audit testing on areas which include responsibilities

2016/17 audit plan and we noted in our 2016/17 report that a number of year end processes were delayed, in particular the preparation of the submission for the Whole of Government Accounts

As there have not been significant changes to staffing, and similar pressures exist in 2017/18 (in particular. requirements to support the ERP project), this may increase the risk of issues arising in the preparation and audit of the financial statements.

for particular aspects of the annual accounts completion.

Progress on the annual accounts process will be closely monitored.

where prior year errors were noted.

#### Wider dimension risks

#### 6 Financial sustainability

Renfrewshire Council are currently projecting a breakeven position in 2017/18. This requires £20 million of savings, the majority of which are sought through the debt smoothing strategy.

Financial pressures are expected to continue in the medium term with the council estimating an annual savings requirement of at least £20 million per year in 2018/19 and 2019/20.

Meeting these savings targets is expected to require changes to the way the council delivers

The Council has undertaken a programme of significant change in recent years to address the financial constraints faced by local government with these challenges continuing in the medium term. Financial plans are continually reviewed to ensure financial sustainability is maintained over the medium term

Attendance at council meetings.

Monitoring of performance against savings plans.

Monitoring service delivery KPIs.

Assessment of savings plan for 2018/19 and 2019/20.

#### **Audit Risk** Planned audit work Management's source of assurance services, and there is a risk that this will affect the quality of the services provided. 7 Enterprise Resource Planning The implementation plans and Regular monitoring of ERP **System** resources are regularly project progress. assessed to ensure they reflect A new Enterprise Resource Assessment of ERP cost to issues which arise and to Planning (ERP) was originally date. ensure that the system will be planned to be in place in on 1 fit for purpose once live. April 2016. This has since been subject to a number of delays and is currently projected to be completed in September 2018. There is a risk that additional delays will put further strain on the council's staffing resources and incur additional costs. 8 Effectiveness of Audit, Risk Officers will continue to Attendance at ARSB meetings. and Scrutiny Board support members of the ARSB to ensure the effectiveness of The structure, composition and the board. remit of the previous Audit, Scrutiny and Petitions Board was reassessed in response to the findings in the 2016/17 audit. This resulted in the formation of the Audit, Risk and Scrutiny Board (ARSB) in May 2017, following the local government elections. Due to the relatively recent changes in the membership and remit there will be some continued risk in respect of the

#### Reporting arrangements

effectiveness of the ARSB.

- 3. Audit reporting is the visible output for the annual audit. All annual audit plans and the outputs as detailed in Exhibit 2, and any other outputs on matters of public interest will be published on our website: www.audit-scotland.gov.uk.
- 4. Matters arising from our audit will be reported on a timely basis and will include agreed action plans. Draft management reports will be issued to the relevant officer(s) to confirm factual accuracy.
- 5. We will provide an independent auditor's report to Renfrewshire Council, and the Accounts Commission summarising the results of the audit of the annual accounts. We will provide the Accountable Officer and the Accounts Commission with an annual report on the audit containing observations and recommendations on significant matters which have arisen in the course of the audit.

# Exhibit 2 2017/18 Audit outputs

Audit Output	Target date	Audit, Risk and Scrutiny Board Date
Interim management letter	May 2018	28 May 2018
Annual Audit Report including ISA 260 requirements	September 2018	25 September 2018
Signed Independent Auditor's Report	September 2018	N/A

#### **Audit fee**

- **6.** The proposed audit fee for the 2017/18 audit of Renfrewshire Council is £340,290 (2016/17: £338,960). The proposed audit fees for the audit of the Trust Funds and Common Good Funds administered by Renfrewshire Council are £1,000 and £4,550 respectively. In determining the audit fee we have taken account of the risk exposure of Renfrewshire Council, the planned management assurances in place and the level of reliance we plan to take from the work of internal audit. Our audit approach assumes receipt of the unaudited financial statements, with a complete working papers package by 29 June 2018.
- **7.** Where our audit cannot proceed as planned through, for example, late receipt of unaudited financial statements or being unable to take planned reliance from the work of internal audit, a supplementary fee may be levied. An additional fee may also be required in relation to any work or other significant exercises outwith our planned audit activity.

#### Responsibilities

#### Audit, Risk and Scrutiny Board and Accountable Officer

- **8.** Audited bodies have the primary responsibility for ensuring the proper financial stewardship of public funds, compliance with relevant legislation and establishing effective arrangements for governance, propriety and regularity that enable them to successfully deliver their objectives.
- **9.** The audit of the financial statements does not relieve management or the Audit, Risk and Scrutiny Board as those charged with governance, of their responsibilities.

#### **Appointed auditor**

- **10.** Our responsibilities as independent auditor are established by the 1973 Act for local government, and the Code of Audit Practice, and guided by the auditing profession's ethical guidance.
- **11.** Auditors in the public sector give an independent opinion on the financial statements and other specified information accompanying the financial statements. We also review and report on the arrangements within the audited body to manage its performance, regularity and use of resources. In doing this, we aim to support improvement and accountability.

# Audit scope and timing

#### **Financial statements**

- 12. The statutory financial statements audit will be the foundation and source for the majority of the audit work necessary to support our judgements and conclusions. We also consider the wider environment and challenges facing the public sector. Our audit approach includes:
  - understanding the business of Renfrewshire Council and the associated risks which could impact on the financial statements
  - assessing the key systems of internal control, and establishing how weaknesses in these systems could impact on the financial statements
  - identifying major transaction streams, balances and areas of estimation and understanding how Renfrewshire Council will include these in the financial statements
  - assessing the risks of material misstatement in the financial statements
  - determining the nature, timing and extent of audit procedures necessary to provide us with sufficient audit evidence as to whether the financial statements are free of material misstatement.
- **13.** We will give an opinion on the financial statements as to:
  - whether they give a true and fair view in accordance with the applicable law and the 2017/18 Code of the state of affairs of the council and its group as at 31 March 2018 and of the income and expenditure of the council and its group for the year then ended
  - whether they have been properly prepared in accordance with IFRSs as adopted by the European union, as interpreted and adapted by the 2017/2018 Code
  - whether they have been prepared in accordance with the requirements of the Local Government (Scotland) Act 1973, The Local Authority Accounts (Scotland) Regulations 2014, and the Local Government in Scotland Act 2003.

#### **Materiality**

14. Materiality defines the maximum error that we are prepared to accept and still conclude that our objective has been achieved. It helps assist our planning of the audit and allows us to assess the impact of any audit adjustments on the financial statements. We calculate materiality at different levels as described below. The calculated materiality values for Renfrewshire Council are set out in Exhibit 3.



# **Exhibit 3**Materiality values

Materiality level	Amount
<b>Planning materiality –</b> This is the calculated figure we use in assessing the overall impact of audit adjustments on the financial statements. It has been set at 1% of gross expenditure, and calculated based on the 2016/17 audited accounts. Planning materiality will be updated for 2017/18 figures on receipt of the unaudited annual accounts in June 2018.	£6.944 million
<b>Performance materiality –</b> This acts as a trigger point. If the aggregate of errors identified during the financial statements audit exceeds performance materiality this would indicate that further audit procedures should be considered. Using our professional judgement we have calculated performance materiality at 60% of planning materiality.	£4.166 million
<b>Reporting threshold</b> – We are required to report to those charged with governance on all unadjusted misstatements in excess of the 'reporting threshold' amount. This is calculated as 2.5% of planning materiality.	£0.175 million
Source: Audit Scotland	

**15.** We review and report on other information published with the financial statements including the management commentary, annual governance report and the remuneration report. Any issues identified will be reported to the Audit, Risk and Scrutiny Board.

#### **Timetable**

**16.** To support the efficient use of resources it is critical that a financial statements timetable is agreed with us for the production of the unaudited accounts. An agreed timetable is included at <a href="Exhibit 4">Exhibit 4</a> which takes account of submission requirements and planned Audit , Risk and Scrutiny Board dates:

#### **Exhibit 4**

#### Financial statements timetable

Key stage	Date
Consideration of unaudited financial statements by those charged with governance.	28 June 2018
Latest submission date of unaudited annual accounts with complete working papers package.	29 June 2018
Latest submission date of unaudited WGA return	20 July 2018
Latest date for final clearance meeting with Director of Finance and Resources.	Early September 2018
Agreement of audited unsigned financial statements; Issue of Annual Report including ISA 260 report to those charged with governance.	25 September 2018

Independent auditors report signed.	By 30 September 2018
Issue of Annual Audit Report including ISA 260 report to those charged with governance	25 September 2018
Latest date for signing of WGA return	30 September 2018

#### Internal audit

17. Auditing standards require internal and external auditors to work closely together to make best use of available audit resources. We seek to rely on the work of internal audit wherever possible and as part of our planning process we carry out an assessment of the internal audit function. Internal audit is provided by the internal audit service of the council.

#### **Adequacy of Internal Audit**

- **18.** We carry out an annual assessment of the internal audit function to determine whether it has sound documentation standards and reporting procedures in place and complies with the main requirements of the Public Sector Internal Audit Standards.
- 19. Our assessment as part of the 2016/17 audit noted a number of issues which were reported in an interim letter in June 2017. The letter contained a number of recommendations and agreed actions, which we will follow up on as part of our 2017/18 audit work. The issues raised do not impact our ability to place reliance on the work of internal audit as described below.

#### **Areas of Internal Audit reliance**

- 20. To support our audit opinion on the financial statements we plan to place formal reliance on the following planned internal audit reviews:
  - Non-domestic rates
- 21. In respect of our wider dimension audit responsibilities we also plan to consider other areas of internal audit work including:
  - Workforce planning
  - ICT
  - IJB Post Implementation Review

#### **Audit dimensions**

22. Our audit is based on four audit dimensions that frame the wider scope of public sector audit requirements as shown in Exhibit 5.

Exhibit 5
Audit dimensions



Source: Code of Audit Practice

**23.** In the local government sector, the appointed auditor's annual conclusions on these four dimensions will help contribute to an overall assessment and assurance on best value.

#### Financial sustainability

**24.** As auditors we consider the appropriateness of the use of the going concern basis of accounting as part of the annual audit. We will also comment on the body's financial sustainability in the longer term. We define this as medium term (two to five years) and longer term (longer than five years) sustainability. We will carry out work and conclude on:

- the effectiveness of financial planning in identifying and addressing risks to financial sustainability in the short, medium and long term
- the appropriateness and effectiveness of arrangements in place to address any identified funding gaps
- whether the council can demonstrate the affordability and effectiveness of funding and investment decisions it has made.

#### **Financial management**

**25.** Financial management is concerned with financial capacity, sound budgetary processes and whether the control environment and internal controls are operating effectively. We will review, conclude and report on:

- whether the council has arrangements in place to ensure systems of internal control are operating effectively
- whether the council can demonstrate the effectiveness of budgetary control system in communicating accurate and timely financial performance
- how the council has assured itself that its financial capacity and skills are appropriate
- whether the council has established appropriate and effective arrangements for the prevention and detection of fraud and corruption.

#### **Governance and transparency**

- **26.** Governance and transparency is concerned with the effectiveness of scrutiny and governance arrangements, leadership and decision – making and transparent reporting of financial and performance information. We will review, conclude and report on:
  - whether the council can demonstrate that the governance arrangements in place are appropriate and operating effectively
  - whether there is effective scrutiny, challenge and transparency on the decision – making and finance and performance reports
  - the quality and timeliness of financial and performance reporting.

#### Value for money

- 27. Value for money refers to using resources effectively and continually improving services. We will review, conclude and report on:
  - whether the council can provide evidence that it is demonstrating value for money in the use of its resources
  - whether the council can demonstrate that there is a clear link between money spent, output and outcomes delivered
  - whether the council can demonstrate that outcomes are improving
  - whether there is sufficient focus on improvement and the pace of it.

#### **Best Value**

- **28.** The Accounts Commission agreed the overall framework for a new approach to auditing Best Value in June 2016. The introduction of the new approach coincides with the new five year audit appointments. Auditors will use the framework for their audit work from October 2016.
- 29. A key feature of the new approach is that it integrates Best Value into the wider scope annual audit, which will influence audit planning and reporting. Best Value will be assessed comprehensively over the five year audit appointment, both through the on - going annual audit work, and also through discrete packages of work to look at specific issues. Conclusions and judgements on Best Value will be reported through:
  - the Annual Audit Report for each council that will provide a rounded picture of the council overall
  - an Annual Assurance and Risks report that the Controller of Audit will provide to the Commission that will highlight issues from across all 32 council annual audit reports
  - a Best Value Assurance Report (BVAR) for each council that will be considered by the Accounts Commission at least once in a five year period.
- 30. Renfrewshire Council was one of the six councils considered in the first year of the five year audit cycle, with the Renfrewshire Council BVAR published in August 2017.

- **31.** Audit work in this area in 2017/18 will therefore be reduced in comparison to 2016/17, and limited to:
  - Leadership, Governance and Scrutiny
  - Follow-up of issues raised in the 2016/17 BVAR

#### Independence and objectivity

- **32.** Auditors appointed by the Accounts Commission or Auditor General must comply with the Code of Audit Practice and relevant supporting guidance. When auditing the financial statements auditors must also comply with professional standards issued by the Financial Reporting Council and those of the professional accountancy bodies. These standards impose stringent rules to ensure the independence and objectivity of auditors. Audit Scotland has in place robust arrangements to ensure compliance with these standards including an annual "fit and proper" declaration for all members of staff. The arrangements are overseen by the Director of Audit Services, who serves as Audit Scotland's Ethics Partner.
- **33.** The engagement lead of Renfrewshire Council is David McConnell. Auditing and ethical standards require the appointed auditor to communicate any relationships that may affect the independence and objectivity of audit staff. We are not aware of any such relationships pertaining to the audit of Renfrewshire Council.

#### **Quality control**

- **34.** International Standard on Quality Control (UK and Ireland) 1 (ISQC1) requires that a system of quality control is established, as part of financial audit procedures, to provide reasonable assurance that professional standards and regulatory and legal requirements are being complied with and that the independent auditor's report or opinion is appropriate in the circumstances.
- **35.** The foundation of our quality framework is our Audit Guide, which incorporates the application of professional auditing, quality and ethical standards and the Code of Audit Practice (and relevant supporting guidance) issued by Audit Scotland and approved by the Auditor General for Scotland. To ensure that we achieve the required quality standards Audit Scotland conducts peer reviews, internal quality reviews and is currently reviewing the arrangements for external quality reviews.
- **36.** As part of our commitment to quality and continuous improvement, Audit Scotland will periodically seek your views on the quality of our service provision. We welcome feedback at any time and this may be directed to the engagement lead.

#### **Adding Value**

**37.** Through our audit work we aim to add value to the Audited Body. We will do this by ensuring our Annual Audit Report provides a summary of the audit work done in the year together with clear judgements and conclusions on how well the Audited Body has discharged its responsibilities and how well it has demonstrated the effectiveness of its arrangements. Where it is appropriate we will recommend actions that support continuous improvement and summarise areas of good practice identified from our audit work.

## **Renfrewshire Council**

**Annual Audit Plan 2017/18** 

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To: Audit, Risk & Scrutiny Board

On: 22 January 2018

Report by: Director of Finance and Resources

Heading: Scottish Public Services Ombudsman (SPSO) Annual Report 2016/17

#### 1. Summary

- 1.1. The Scottish Public Services Ombudsman (SPSO) has issued his 2016/17 annual report. The report is available on the SPSO's website at <a href="https://www.spso.org.uk">www.spso.org.uk</a>
- 1.2. The SPSO is the final stage for complaints about councils, the National Health Service, housing associations, colleges and universities, prisons, most water providers, the Scottish Government and its agencies and departments and most Scottish authorities. Local government remained the sector about which the SPSO received most complaints, 1528 (37%) from a total of 5586 complaints and enquiries, with the National Health Service again receiving the second highest number of 1414 (34%).
- 1.3. The SPSO sends authorities an annual letter about their complaint numbers and the new Scottish Public Services Ombudsman, Rosemary Agnew, who took over on 1 May 2017 sent the letter to the Council on 4 October 2017. She advised that the statistics covered in the letter and the annual report for 2016-17 were compiled by her predecessor Jim Martin.
- 1.4. This year the SPSO advised that they were continuing to develop their approach to making recommendations. This has led to a shift in being more strongly focused on outcomes in relation to services as well as remedying injustice to individuals. The changes began in April this year and were the result of careful planning and research. The annual report set out the SPSO's 2016-20 strategic plan with six strategic objectives and five equalities commitments.

#### 2. Recommendations

- 2.1 That the SPSO's 2015/16 Annual Report be noted; and
- 2.2 That it be noted of the 49 complaints against Renfrewshire Council determined by the SPSO in 2016/17 five were investigated, three were fully upheld, one was partly upheld and one was not upheld.

#### 3. Background

- 3.1 The report advised that in 2016/17 the SPSO saw an increase in overall caseload by 4% compared with the previous year. Nationally, in 2016/17 the SPSO received 5586 complaints and enquiries, compared with 5358 in the previous year. There was 4182 complaints handled compared to 4636 in 2015/16 and 1,404 enquiries compared to 720 enquiries in 2015/16. A change in how they recorded enquiries in 2016/17 meant that some of the complaints they received by phone were recorded as advice stage complaints which better reflected the volume of work required and explained the 85% increase in enquiries received and 9% decrease in complaints received compared with the previous year.
- 3.2 Of the 4182 complaints handled, 805 went to full investigation, 507 were about the health sector and 156 complaints were about local authorities. Of the investigations completed, 21 cases were reported in full as public reports resulting in the publication of 17 detailed, public, investigation reports (compared with 41 the previous year). None of these related to Renfrewshire. Of the 21 cases reported, 5 were about local authorities and the rest were about the health sector. The SPSO made 1379 recommendations for redress and improvements to public services, 9% less than in 2015/16. The proportion of complaints that reached the SPSO before completing authorities' procedures (premature complaints) dropped again from 31% to 28%.
- 3.3 No complaint details for specific organisations are included in the report. However, information is received separately from the SPSO, in their annual letter, which indicates that the number of complaints received by the SPSO relative to Renfrewshire was 47 compared with 56 in 2015/16 and 63 in 2014/15.
- 3.4 It should be noted that received and determined numbers do not tally as complaints determined include cases carried forward from previous years.
- 3.5 The SPSO will not generally consider a complaint unless the complainer has gone through the Council's complaints procedure fully. The Board receives an annual report on the Council's complaints performance.
- 3.6 In 2016/17 the Council received 6364 complaints, compared with 6860 in 2015/16. The annual report on the Council's complaints will be submitted to a future meeting of the Board.

3.7 During the period of the report the SPSO determined 49 complaints relative to Renfrewshire compared with 52 in 2015/16 and 62 in 2014/15. Of the 49 complaints determined by the SPSO during 2015/16, five were investigated, three were fully upheld, one was partly upheld and one was not upheld. A copy of the SPSO decision reports relative to the three fully upheld and one partly upheld are attached as appendices. The SPSO indicates that a low uphold rate suggests a robustness in the authority's handling of complaints.

<u>Outcome</u>	<u>2016/17</u>	<u>2015/16</u>	<u>2014/15</u>
Premature	16	28	34
Out of jurisdiction	10	10	4
Withdrawn	7	9	14
No outcome	4	2	4
Resolved	1	0	1
Not upheld	1	2	1
Fully upheld	3	0	3
Partly upheld	1	1	1
Proportionality*	6*	0*	0*
Total	49	52	62

<sup>\*</sup>New indicator for 2016/17

- 3.8 The main subjects of complaint in Renfrewshire during the period are as follows, with 2015/16 figures in brackets. The subjects are the SPSO's and may not relate directly to the way Renfrewshire Council services are organised. Housing 9(19); Education 5(8); Social Work 5(6); Finance 5(6); Roads & Transport 7(5); Legal & Admin 2(4); Recreation & Leisure 0(2); Planning 3(1); Environmental Health & Cleansing 5(1); Economic Development 2(1); Personnel 0(1); Consumer Protection 0(1); Building Control 0(1); Welfare Fund/Community Care Grants 0(0); Land & Property 0(0); other 0(1); Subject Unknown 4\* (new indicator for 2016/17).
- 3.9 The report advised that in April 2017 the SPSO was given notice that the clinical advice service they had relied on in respect of specialist input for health cases had been withdrawn. This resulted in an opportunity to expand their bank of independent Scotland-based advisers and the development of a new complaints handling procedure for the NHS.
- 3.10 The report also refers to the development of a new complaints procedure for social work complaints to align with local authority and NHS procedures. This year was also the first year of operation of the new service for independently reviewing applications for Community Care Grants and Crisis Grants.

#### **Implications of the Report**

- 1. Financial none
- HR & Organisational Development none.
- 3. **Community/Council Planning –** none
- 4. **Legal** as detailed in the report
- 5. **Property/Assets -** none
- 6. **Information Technology –** none
- 7. **Equality & Human Rights -** The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
- 8. **Health & Safety** none
- 9. **Procurement none**
- 10. **Risk** none
- 11. **Privacy Impact –** none
- 12. **Cosla Policy Position –** not applicable.

#### **List of Background Papers - none**

Author: Carol MacDonald, Senior Committee Services Officer, 0141 618 5967



Case: 201507464, A Council

Sector: local government

**Subject:** road authority as developer, road alterations

Outcome: upheld, recommendations

#### **Summary**

Mr C complained to the council about a local bus company's use of the street outside his house for driver changeovers. Various options that would help resolve this problem had been considered but none had been put in place. Separately to this, there were plans to upgrade a nearby junction. This project included measures to accommodate driver changeovers and the council anticipated these would resolve Mr C's problems with driver changeovers.

Following a local consultation, the council began formal proceedings to carry out the upgrade, including a statutory consultation. Mr C complained that the length of time taken by these proceedings was unreasonable. He also complained that the council was not enforcing regulations on buses stopping in a restricted area near his home.

We acknowledged that the statutory process and the way the upgrade project was funded affected the timescale and that this was outside the council's control. However, we found that the council had introduced some avoidable delays that extended the timescale. We also found that the council was aware of drivers being asked by the bus company to stop in the restricted area. We therefore upheld Mr C's complaints.

#### Recommendations

- apologise to Mr C for the avoidable delay in the process;
- provide Mr C with an update and schedule for the works at the junction near his home; and
- consider whether enforcement of relevant traffic-related legislation is required.



Case: 201507576, Renfrewshire Council

Sector: local government
Subject: policy/administration

Outcome: some upheld, recommendations

#### **Summary**

Ms C removed her child from school and requested a transfer to a new school as she was concerned about the impact of the school environment on her child's wellbeing. The school raised concerns about her child's absence and scheduled a meeting to discuss this. Ms C subsequently found out that the school nurse had contacted her child's GP to request information just before this meeting and a report had been faxed to the school. Ms C complained that the head teacher inappropriately made this request. In particular, the GP records stated the requested information was required for an inter-agency meeting with child protection concerns involved, when the meeting did not involve other agencies and there were no child protection concerns.

The council said the request was made by the school nurse who only asked the GP practice if someone could call the school to discuss if there was anything in the child's medical history relevant to concerns about their ongoing wellbeing and absence from school. The council said there were no child protection concerns but it was not possible to seek this information from Ms C as she refused to have any contact with them. However, when we asked for evidence of the lack of communication, the council acknowledged that in fact Ms C did have contact with both the school and council officers during this period.

After investigating these issues and reviewing the records from the school and GP we found that although it was clear that inaccurate information was received by the GP about child protection concerns, it was not clear that this was due to the actions of the head teacher and we did not uphold this aspect of Ms C's complaint. However, we were critical that the council did not make any record of the request for information and did not inform Ms C or the child about this. We also found failings with the council's complaints handling.

#### Recommendations

- take steps to ensure that decisions to seek sensitive information about a pupil are adequately recorded and the pupil and/or parents are consulted (unless there is a clear recorded reason for not doing so);
- · apologise to Ms C and her child for the failings identified;
- remind staff of the definition of a complaint in their complaints handling procedure;
- review their complaints handling tools to ensure staff are prompted to identify relevant evidence when planning an investigation; and
- audit a sample of recent correspondence to ensure that correspondence meeting the definition of a complaint is being handled under the correct process.

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Case: 201508653, Renfrewshire Council

Sector: local government Subject: secondary school

Outcome: upheld, recommendations

#### **Summary**

Mrs C complained that the council failed to comply with their bullying policy. Mrs C had raised issues with the council in relation to her daughter (Miss A) being bullied at school. The council explained that they had not initially treated the issues raised by Mrs C as bullying. They provided logs detailing concern by Mrs C that Miss A was being bullied and outlined the action taken by the school.

Mrs C was also concerned that Miss A was not given a suitable room on a school trip in light of problems with bullying and that the council had not looked into why her daughter had slept outside her room. In their response, the council provided a copy of the risk assessment that detailed that spot-checks would be carried out. However, there was no record detailing these checks. Although the council apologised to Mrs C that the information she provided prior to the trip had not been passed on to staff, we were concerned that there was no record of conversations with staff members. We therefore upheld these elements of Mrs C's complaint.

Mrs C also complained that the school did not provide accurate information on whether the school operated a buddy system. The council acknowledged and apologised for this and we therefore upheld Mrs C's complaint.

Mrs C said that the council failed to keep reasonable care records. The council said they were satisfied that Miss A's notes contained sufficient information. However, we found in particular that they did not include a record of a pre-arranged meeting. We therefore upheld Mrs C's complaint.

Mrs C also complained that staff at Miss A's school had inappropriate conversations with Miss A. While we were satisfied with the way the council had acknowledged the concerns Mrs C raised with them in this regard and had apologised, on balance we upheld Mrs C's complaint.

Finally, Mrs C complained that the council did not handle her complaint or communicate with her reasonably. The council said that it was difficult to communicate reasonably as Mrs C had raised her complaints with a number of people. They said they would offer Mrs C an additional apology in relation to this. The council also accepted that there had been a delay outwith their own timescales in responding to Mrs C's complaint. In light of this, we upheld this aspect of Mrs C's complaint.

#### Recommendations

- consider their procedures for organising school trips to ensure all relevant information is recorded and taken into consideration when organising a school trip;
- consider, in view of the issues raised in this complaint, whether there is a need for a formal record of the checks carried out on pupils during bed times;
- ensure that relevant staff are fully aware of all the strategies, including the buddy system, that are available to assist pupils experiencing difficulties; and

<ul> <li>consider the benefits of reta are pre-arranged.</li> </ul>	aining a brief record or	r note of meetings wit	th parents, in particu	lar when these



Case: 201604163, Renfrewshire Council

Sector: local government Subject: primary school

Outcome: upheld, recommendations

#### **Summary**

Mrs C complained about the council's handling of the decision to change her son (child A)'s school class for the following academic year. Child A had been informed of his class before the school summer holidays. However, very shortly before the beginning of the school term, Mrs C was told that he would not be going into the class of which he had been previously informed.

Mrs C was unhappy with the way the council handled this decision. Specifically, she felt that they had failed to take into account the provisions of the Scottish Government's 'Getting it Right for Every Child' (GIRFEC) approach by not consulting with her, her husband or child A about the decision and that they had failed to provide her with details of the information on which the council's decision had been based.

Mrs C also felt that the council had failed to give a reasonable explanation for their decision, delayed unreasonably in informing her and child A about the decision, and failed to consider the effect the decision would have on child A.

As part of our investigation, we received further information from the council about the complaint. Although we could not provide Mrs C with the confidential information received which had led to the council's decision, we were satisfied that the council's explanation for reaching their decision was reasonable and was in line with their policy on the selection of pupils for classes.

We also considered the provisions of GIRFEC in relation to children, young people and their families understanding what is happening and having their wishes heard and understood. In this case, child A and his family were not adequately informed about what was happening and why, or given the opportunity to have their wishes heard and understood before the decision was reached. We thought that, had the council contacted child A and his family, this would have also prepared them for the possibility that child A may have to change classes, rather than this decision coming without warning so close to the beginning of term.

We also had concerns that, contrary to the joint working approach set out by GIRFEC, it did not appear that the school was involved in the discussions about the decision, which took place over the summer holiday period. We also concluded that there was an unreasonable delay between the decision being made and this being communicated to child A.

Given that the council did not keep Mrs C's family properly informed and involved and that there was an unreasonable delay in informing them of the decision, we considered that the council did not take appropriate action to limit the upset caused to child A.

Although it did not form part of Mrs C's complaint to us, we identified concerns with record-keeping at the school and the council. The council acknowledged that there was very little physical evidence in relation to this complaint. Our view was that it would be good practice for the school and council to keep a record of discussions where

important matters which could have an impact on a child's well-being are discussed. In this case, it was difficult to establish exactly what had happened as there was no record of the relevant discussions within the school and the council.

In light of the above, we upheld Mrs C's complaint and made recommendations.

#### Recommendations

- share the findings of this investigation with staff within the education department and remind them of the provisions of GIRFEC in relation to: children, young people and their families being kept informed about what is happening and why, and being listened to and having their wishes heard and understood; and the importance of joint working when making decisions which will impact on a child's well-being;
- apologise to child A and his family for failing to keep them informed about what was happening and why and not giving them the opportunity to have their wishes heard and understood before the decision was reached, and for the delay in informing them of the decision;
- remind staff involved in this complaint (including the school) of the importance of recording discussions (including with parents, carers, children, young people and other staff) where important matters which could have an impact on a child's well-being are discussed; and
- reflect more broadly on the failings identified in this investigation and take any necessary improvement action to prevent a similar situation occurring again, and inform us of any improvements.



To: Audit, Risk and Scrutiny Board

On: 22 January 2018

Report by: Lead Officer

Heading: Fly tipping in the countryside and at known fly tipping spots

#### 1. Summary

1.1 At its meeting on 6 November 2017, members of the Audit, Risk and Scrutiny Board agreed the purpose and scope of the above review. This paper provides a report on progress made and information that has been prepared for the Board's interest to date.

#### 2. Recommendations

- 2.1 The Board is asked to:
  - note the progress of the review;
  - note the information presented at this stage of the review; and,
  - note the next steps.

#### 3. **Background**

- 3.1 The scoping paper presented to the Board in November 2017 set out the context for this review and the steps to be undertaken. The Lead Officer advised that the first piece of work to be undertaken would be a review of the research available on this subject to understand the extent of fly tipping in general in Scotland and specifically in Renfrewshire, and to identify key reasons that motivate people, (individuals and organisations) towards fly tipping.
- 3.2 Fly tipping is a national problem across the UK and is defined as the illegal deposit of any waste onto land that does not have a licence to accept it. Waste includes for example general household waste, larger domestic items including fridges and mattresses, garden refuse, and commercial waste such as builder's rubble, clinical waste and tyres.

#### 4. Progress to date/ methodology

- 4.1 Since the Board approved the purpose and scope of the review in November 2017, the Lead Reviewer has undertaken a review of current information sources available online in relation to the subject matter. Information presented in this report is mostly extracted from these sources and referenced accordingly. Information has also been accessed from Environment & Communities in relation to fly tipping statistics specifically relevant to Renfrewshire.
- 4.2 Key websites accessed in the course of this element of the review of resources have included:
  - Dumb Dumpers Public Reporting Tool
  - Flymapper Scotland Land Manager Reporting Tool
  - Keep Scotland Beautiful
  - [The] National Fly-Tipping Prevention Group
  - Renfrewshire Council Website/ Focus on Littering and Fly Tipping
  - Scottish Environment Protection Agency (SEPA)
  - [The] Scottish Government
  - Zero Waste Scotland (general)
  - Zero Waste Scotland Evidence Review of Fly Tipping Behaviour
  - Renfrewshire Council: Communities, Housing & Planning Policy Board papers
- Key papers that underpin the information within sections 5 and 6 of this report are "Scotland's Litter Problem: Quantifying the scale and cost of litter and flytipping" i and "Evidence Review of Flytipping Behaviour" both publications by Zero Waste Scotland outlining the findings of their research programmes report in 2013 and 2017 respectively. The May 2017 report addresses the following:

How much flytipping takes place in Scotland,

- What waste types flytipping is made up of,
- What flytipping costs Scottish society,
- What the known drivers of flytipping are,
- How flytipping is perceived by the public,
- Evidence on effective countermeasures.
- 4.4 Also by way of progress, invitations have now been extended to key stakeholders to attend future meetings of the Board and provide evidence from their respective areas of expertise.
  - On 19 March 2018, the Board will receive evidence from the Council's two Heads of Service who each have specific responsibilities for enforcing, preventing, deterring and responding to fly tipping; the Head of Amenity Services (in respect of waste services) and the Head of Public Protection (in respect of Community Wardens). An officer from North Ayrshire Council will also be invited to attend this meeting so that members can hear of the approach taken by a neighbouring authority.
  - On 29 May 2018, it is anticipated the Board will receive evidence from representatives from SEPA, Zero Waste Scotland and Police Scotland.

#### 5 Fly tipping in Scotland

- 5.1 The Scottish Government's focus on preventing litter and fly tipping aims to encourage personal responsibility and reduce the need for expensive clean-up or enforcement. In "Towards A Litter-Free Scotland: A Strategic Approach To Higher Quality Local Environments" (June 2014), The Government set out a number of areas of activity it would engage in to tackle littering and fly tipping, including undertaking further work to understand the reasons why people flytip and the possible solutions, strengthening the enforcement system with effective laws and procedures that deter offenders and supporting enforcement officers as they carry out their duties. ""
- Information on SEPA's website<sup>iv</sup> explains that fly tipping occurs in both urban and rural areas and suggests that clearing it up costs Scottish local authorities more than £2.5 million each year. It also undermines legitimate waste businesses, where illegal operators undercut those operating within the law.
- In the more recent Zero Waste Scotland (ZWS) research paper (May 2017) it is asserted that in Scotland "flytipping is estimated to incur direct costs of at least £11m of taxpayers' money for clearance, disposal and enforcement activities. There are also significant indirect costs, but these are difficult to quantify, with most studies combining litter and flytipping costs in attempts to do so."
- In terms of what constitutes fly tipped waste, Zero Waste Scotland advise that household waste is found to be the most frequently observed fly tipped waste, however larger deposits are invariably associated with organised offenders. Zero Waste Scotland explain however that accurately quantifying the amount of fly tipping occurring in Scotland is challenging given a number of factors:
  - it occurs in multiple locations;
  - there are many different ways to measure it; counts of items, or incidents or weights being a few;
  - a large proportion of fly tipping occurs on private land and remains largely unrecorded; and,
  - not all local authorities are as yet using the FlyMapper reporting tool
    that was launched in 2015, resulting in an incomplete picture.
    For the Board's information, development testing for Flymapper is
    underway in Renfrewshire Council and Environment & Communities
    intend undertaking a pilot exercise over the coming months with a view
    to rolling it out fully which will assist with identifying fly tipping hotspots
    and enable more effective, targeted enforcement action to take place.
- National campaigns are launched from time to time to address fly tipping and at the point of preparing this specific report to Board a new national Crimestoppers campaign was launched in partnership with SEPA through the LIFE SMART Waste project aiming to tackle the increase in criminals using warehouses and farm buildings to illegally dispose of large quantities of waste. Campaign materials are shown in Appendix 2.

#### 6 Fly tipping in Renfrewshire

- In Renfrewshire, the Board that oversees environmental issues, including fly tipping, is the Infrastructure, Land and Environment Policy Board. The Board receives reports with information on fly tipping and service activities and performance in relation to this, such as the % of fly tipping incidences investigated and uplifted by the council's Rapid Response Team within one working day (Target 100%).
- The council's Rapid Response Team works to improve the environment by investigating and removing small scale fly tipping and investigating environmental crime throughout Renfrewshire. The relevant Head of Service will provide more information on the work of the Team in their presentation to the Audit, Risk and Scrutiny Board due in March 2018.
- 6.3 In the last 3 years fly tipping complaints to the council have been reported as follows:

Financial Yr. No. of fly tipping complaints received

2014/15	1292
2015/16	1356
2016/17	1455

As at 30 November, the figure for 2017/18 stood at 957 complaints.

- The data above was provided to the Lead Reviewer having been extracted from both 'Flare' and 'Lagan' databases. The two datasets had been merged and apparent duplicate entries were removed (data entries relating to the same location and entered no more than 48 hours apart were assumed to be duplicates and the Flare entry was removed).
- Further analysis of the data has enabled the top hotspots for each of the financial years to be identified as follows:

Financial Yr. No. of fly tipping complaints received

2014/	Locus	Causeyside St, Paisley	Braehead Rd, Paisley	Clarence St, Paisley	Dunn St, Paisley	Candren Rd, Linwood
15	No:	21	16	16	14	13
2015/	Locus	Causeyside St, Paisley	Candren Rd, Linwood	Braehead Rd, Paisley	Moss Rd Linwood	Cartha Crsc, Paisley
16 No:	26	22	14	13	11	
2016/ 17	Locus	Wellmeadow St, Paisley	Moss Rd Linwood	Leitchland Rd, Paisley	Candren Rd Linwood	McKerrell St, Paisley
17	No:	34	33	18	16	15

17/18 - now No. of fly tipping complaints received

Locus	Gleniffer	Braehead	Clarence	George St,	McKerrell
	Rd, Paisley	Rd, Paisley	St, Paisley	Paisley	St, Paisley
No:	21	17	17	12	12

The Lead Reviewer understands that data such as that provided in the tables above is regularly reviewed to identify trends and inform appropriate responses (this is something the Board will hear more about from council officers at a future meeting).

- 6.7 It is worth highlighting however a couple of local initiatives as examples of how historical incidents have been addressed.
  - 6.7.1 Hillington Fly Tipping Initiative the site within Hillington was heavily fly tipped and enforcement was not achieving the desired results. The council and partners (including Hillington and West College Scotland) cleared the site, erected a fence and the students designed boards for the fence on the theme of the Commonwealth Games. This was funded by Zero Waste Scotland (£10,000 of funding).
  - 6.7.2 Auchenlodement Road had previously been a hotspot for flytipping. The land was owned by the Forestry Commission and was popular with local walkers. Efforts by the service to address this historical issue had been unsuccessful. It was agreed that the landowners would clear the flytipping and pay for materials for a fence to be erected, Community Resources (now Environment & Communities), built and erected the fence at no cost to the landowners, Police assisted with traffic management at the site and the service produced signage and erected CCTV at the locus. All the fly tipped materials were removed and a fence, signage and CCTV were erected to discourage further issues.
- The current local campaign in operation is "Team up to Clean up" which was launched on 2 November 2017 with activities focusing on street cleaning, gully maintenance, rapid response services, road infrastructure improvements, support and engagement with communities and volunteer Participation. The web page has a dedicated area for information about littering and fly tipping.

### 7 Causes of, and motivation towards fly tipping

- 7.1 The 2013 Zero Waste Scotland report stated that "while the consequences of litter and flytipping may be similar, the behavioural drivers and countermeasures required are not." The report focused specifically on litter rather than on fly tipping and it is the Lead Reviewer's own opinion that this may explain why the Scottish Government highlighted in 2014 that further work was required to understand the reasons why people fly-tip. The more recent May 2017 ZWS report is therefore welcome as it now provides that focus on perceptions of fly tipping and the motivational factors that influence fly tipping behaviours.
- 7.2 In terms of motivations, Zero Waste Scotland explain that fly tipping incidents are characterised by a range of waste types, incident sizes and location profile "but behind these different types of incidents can be quite differing motivations of the offending individuals and there are often specific contextual issues that will influence their behaviour." ZWS group the various offenders into three categories to look at their motivations:
  - private households generally fly tipping small amounts of their own domestic waste;
  - commercial businesses fly tipping comparatively small amounts of their own waste; and
  - organised offenders fly tipping waste that is likely to have originated with others, often on a larger scale.

- 7.3 What is interesting to note is that, while anecdotally it would be considered that avoiding costs would be a key motivation for fly tipping, the Zero Waste Scotland report confirms it, in that all of the groups above "are to some degree motivated by economic drivers" (such as avoiding disposal fees or uplift costs). Having said that, other research cited by ZWS points out that while economic factors matter, it is usually a set of conditions that increase a person's willingness to commit a crime.
- 7.4 Since Zero Waste Scotland assert that private households and commercial businesses act 'opportunistically' by comparison with organised offenders, they consider their motivations separately too.
- 7.5 In relation to smaller scale fly tipping carried out by households and commercial businesses, for items not covered by kerbside collections, it is thought that this occurs because of convenience and no cost. However the reasons behind actually planning and deciding to commit an offence can be complex and the report suggests this is linked to a number of other factors (not merely financial). The report goes into each of these aspects in considerable detail but they are summarised here.
  - 7.5.1 Local waste services these directly relate to convenience to dispose of waste and the cost related to it. The report asserts that if waste services are not accessible or affordable this might motivate fly tipping. The report also highlights that there is currently no empirical evidence on the impact of variations in local service provisions on flytipping levels.
  - 7.5.2 Local environment characteristics the report asserts that apart from local waste services, there are other environmental characteristics that influence fly tipping behaviour and these include high population density, high levels of local economic deprivation, low levels of a household's capacity to store waste until collection day, and low levels of cleanliness of the immediate local environment.
  - 7.5.3 Attitude and knowledge this is an interesting section of the report that looks at a person's attitude to/ perceptions of fly tipping and their knowledge of the related legislation. One study cited found that fly tipping offenders often have a "low level of guilt related to their offence and depict a low level of disapproval of flytipping committed by others." It was also noted that offenders had no, or claimed to have no knowledge of what constitutes fly tipping what their legal obligations are. In other studies cited however, a consistent finding was that the public's knowledge that flytipping is illegal was relatively high. People generally also had a high level of knowledge of the existence and location of their nearest household waste recycling centre. It is considered nevertheless that knowledge gaps can influence behaviour and further gaps appear to exist around a person's duty of care obligation when hiring a third party to dispose of their waste, and, a lack of understanding that the placing of black bin bags (or other single items) next to a bin even on collection day constitutes flytipping.
  - 7.5.4 Household characteristics socio-demographic characteristics were not found to be influencing factors in fly tipping behaviour, however it was thought that household characteristics might be relevant where they interact with local environmental and/or local waste service conditions,

"especially because people are likely to be influenced to some degree by the behaviour of their peers" and one study cited found empirical evidence that experiencing fly tipping in your own and neighbouring areas increases people's likelihood to fly tip themselves.

- 7.6 In relation to 'organised' offenders (collecting waste on behalf of householders and small businesses), the Zero Waste Scotland report explains that the economic gain of illegally dumping the waste in order to avoid the payment of landfill tax and gate fees is potentially very high. ZWS assert that temptation is increased where the likelihood of being caught is comparatively low.
- 7.7 The Zero Waste Scotland report lists various empirical studies that have focused on organised offenders and fly tipping, and these would appear to support a view that "attractive profit margins for illegal operations resulting from increasingly poor economics of waste treatment due to new (environmentally friendly) regulation have been found to be a significant contributing factor…" Further, from an online survey of white van carriers, researchers found that the main drivers for fly tipping by this group were:
  - perception of peer behaviour;
  - economic pressures;
  - difficulties individuals face with paperwork related to the description of the waste:
  - lack of clarity at waste sites; and,
  - lack of sense of moral obligation to comply with rules.
- 7.8 A study specifically undertaken by the Environment Agency in 2012 in relation to fly tipping of tyre waste revealed similar findings in relation to motivation:
  - financial gain,
  - convenience,
  - opportunism
  - market dynamics/demand,
  - low risk/punishment of offences
- Related to this last bullet point above, another study also highlighted that the risk of punishment for fly tipping was "less important as a motivator to dispose of waste legally than an established sense of moral obligation to comply with the rules."

### 8 Next steps

8.1 The Lead Reviewer will liaise with those invited to present to the Board on this topic in March and will ensure that presentations are made available in advance so that members have an opportunity to consider any questions they may wish to explore further.

### Implications of the Report

1.	Financial	- none
2.	HR & Organisational Development	- none
3.	Community Planning	- none
4.	Legal	- none
5.	Property/Assets	- none
6.	Information Technology	- none
7.	Equality & Human Rights	- none
8.	Health & Safety	- none
9.	Procurement	- none
10.	Risk	- none
11.	Privacy Impact	- none
12.	COSLA implications	- none

### **List of Background Papers**

(a) Audit, Risk and Scrutiny Board Annual Programme approved 28/08/2017 (b) Lead Officer Report – fly Tipping, Report 01, 06/11/2017

The foregoing background papers will be retained within Finance and Resources for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Risk Manager, Risk Manager, 0141 618 7019, Karen.Locke@renfrewshire.gov.uk

**Author**: Karen Locke

Lead Reviewer 0141 618 7019

Karen.Locke@renfrewshire.gov.uk



# **Appendix 1 References**

http://www.zerowastescotland.org.uk/sites/default/files/Scotland%27s%20Litter%20Problem%20-%20Full%20Final%20Report.pdf Zero Waste Scotland, July 2013, "Scotland's Litter Problem: Quantifying the scale and cost of litter and flytipping"

https://www.zerowastescotland.org.uk/sites/default/files/Evidence%20Review%20of%20Flytipping%20Behaviour.pdf " Zero Waste Scotland, May 2017, "Evidence Review of Flytipping behaviour"

iii Scottish Government, 12 June 2014, "Towards A Litter-Free Scotland: A Strategic Approach To Higher Quality Local Environments" http://www.gov.scot/Resource/0045/00452542.pdf

" SEPA website, https://www.sepa.org.uk/regulations/waste/flytipping/

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# Appendix 2 National Campaign Materials









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To: AUDIT, RISK AND SCRUTINY BOARD

On: 22 JANUARY 2018

Report by: LEAD OFFICER

\_\_\_\_\_

Heading: REVIEW OF HOUSING REPAIRS BY COUNCIL AND OUTSIDE

CONTRACTORS

### 1. Summary

- 1.1 This paper updates progress on the review of Housing repairs by Council and outside contractors as agreed as part of the Audit, Risk and Scrutiny Board's annual programme of activity for 2017/18.
- The Lead Officer has met with representatives from Tenants and Residents Associations (TRA) across the Council area to gather their thoughts and opinions on the quality of repairs undertaken by Building Services and external contractors, comparing this with information from tenant satisfaction surveys undertaken during 2016/17. A comparison to benchmark other key statistics from the statutory returns with local authorities having similar numbers of housing stock to Renfrewshire has been undertaken.
- 1.3 Initial analysis of information obtained to date through this consultation, review and benchmark process appears to support the general consensus that repairs are carried out timeously and to a high standard, although some instances have been noted where this is not the case.
- 1.4 Ms Shirley McLean, Chair of the Glenburn Tenant and Residents
  Association has agreed to attend the Audit, Risk and Scrutiny Board

meeting on 22 January 2018 to provide responses to any questions Board members wish to ask.

\_\_\_\_\_

### 2. Recommendations

2.1 The Audit, Risk and Scrutiny Board is asked to:

- Note the content of this report and agree its initial conclusions
- Agree the next steps for the review process
- Agree to invite local authorities and request the attendance of Senior Officers to the Board meeting on 19 March 2018

### 3. Key Points

3.1 The key points to date in the review of housing repairs by Council and External Contractors include:

- Generally positive feedback from Tenant and Residents Associations on the standard and quality of repairs which appears to support the overall satisfaction survey data.
- Mixed feedback received regarding the quality and standard of repairs by external contractors
- Potential issues with effective communication of repairs between tenant, Repairs Assessors and Building Services requiring further investigation.
- Customer satisfaction rate for 2016/17 is 91.4% (approximately 10 % sample) against a national average for local authorities of 86.2%.
- Completed Right First Time Repairs have risen from 78% in 2013/14 to 94.8% in 2016/17
- Large differences in volume of repairs undertaken by the Ayrshire authorities and Renfrewshire, albeit that housing stock numbers are very similar.

### 4. Next Steps

4.1 A survey of several local authorities who have similar numbers of housing stock to Renfrewshire is currently being progressed which will assist in gaining an understanding of their repairs processes; providing

benchmark standards and to explore examples of best practice. Invites for Senior Officers from these local authorities (North Ayrshire, East Ayrshire and Dundee City Councils) to attend the next Board meeting on 19 March 2018 have been made.

- 4.2 The statistical information within Appendix 4 will be explored to tease out potential reasons for the significant differences between local authority data and seek to identify areas of potential improvement to repair services.
- 4.3 Work to explore the monitoring and evaluation of repairs undertaken by both Building Services and external contractors will take place to assist in informing the Board as the review progresses.
- At the next following meeting on 29 May 2018 senior Officers of the Council will be invited to attend to discuss the repairs process within Renfrewshire which will assist the Board in reaching conclusions on the review with a draft final paper being brought to the 27 August 2018 meeting for approval, prior to being taken to the Council meeting on 27 September 2018.

### 5. Background

- The Audit, Risk and Scrutiny Board agreed at its last meeting that the Review of Housing Repairs by Council and Outside Contractors is progressed and approved the Lead Officer making contact with Tenant and Residents Associations and other Local Authorities to evidence the quality of repairs which are routinely undertaken on behalf of tenants.
- The Lead Officer, with assistance from Officers in Development and Housing Services, prepared a series of questions for Tenant and Residents Association representatives for discussion at two workshops; the Council Repairs Development Group and the Council Wide Tenant Forum meeting. The Tenant and Residents Associations attending these meetings are listed in Appendix 1, with the questions used for the workshops and feedback responses received, in Appendix 2 of this report.
- 5.3 Generally, feedback from the sessions within both meetings was positive in terms of the reactive repairs service operated by the Council and the Council's commitment to getting repairs successfully completed

through the Right First Time approach. Comments were generally complimentary in terms of the response times, quality of repair and the attitude of the tradespersons in attendance.

**Key Learning:** General positive feedback from tenants supports customer satisfaction survey results.

- There were however, some instances described where repairs had not been undertaken to a satisfactory standard or where issues with repeat visits were required to have the repair fully completed. The feedback related to Building Services staff who undertakes the greatest number of repairs within Council stock. One element requiring further analysis relates to communication of repairs between tenants, Housing Repairs Assessors and Building Standards tradespersons which has resulted in the need for multiple visits to have the correct works undertaken.

  Key Learning: Potential communication issues between tenants, Repairs Assessors and Building Services to have repairs completed Right First Time.
- 5.5 Feedback concerning external contractors for specialist repair works was more mixed. Some of the Tenant and Residents Association representatives thought that one contractor appeared to receive the bulk of these contracts and there were issues around the time taken to complete repairs with the comment that the company appeared to be over-stretched, taking on too much work. However when the work was undertaken it was generally to a good standard. Other Tenant and Residents Association representatives were of the opinion that works undertaken (by the same contractor) were poor and had caused several issues, examples mentioned included causing blocked drains and on one occasion using a piece of wire to hold up a ceiling. Further investigation of this issue is required through the review.
- There was a general consensus that works undertaken through the Capital Investment Programme (which reached its height in 2015) had created the greatest level of dissatisfaction amongst the Tenant and Residents Assocaitaion representatives. However, complaints about this aspect appeared to be historic and whilst these works continue, they are on a significantly smaller scale from those undertaken previously. Higher levels of complaint would be expected from this programme of works, given their extent and nature.
- 5.7 With in excess of 54,000 reactive repairs being undertaken last year it would be unrealistic to expect that these would all be undertaken without incident. It is important that there is a recognition that things

can, and do go wrong but that robust procedures have been put in place to address issues and to continuously improve services for tenants. Further work looking at processes to address quality and standards of repair which will avoid future repeat issues is required and will be taken forward within the review.

- Monitoring of minor repairs is undertaken via customer satisfaction surveys and there is a reliance on tenants reporting unsatisfactory repairs which will require a re-visit to address these. More significant levels of work and those undertaken by external contractors are monitored through Housing Maintenance Officers and assessors visiting to inspect the works and ensure that these have been carried out to satisfactory/contractually agreed standards. Works are subject to recall visits to rectify any defects. Works undertaken by Building Services can be traced back to individual tradespersons and any identified issues with the quality of work can be discussed with the tradesperson to determine and address the root cause of the issue eg training/ supervision.
- 5.9 Works undertaken by external contractors are subject to penalty clauses within contract documents where the works are considered unsatisfactory or completion dates have been missed. Further work to consider whether the penalties are effective in driving improvement will be undertaken within the review.
- 5.10 During the financial year 2016/17, 54,274 (emergency and nonemergency) reactive repairs were carried out within Council stock. Customer satisfaction surveys carried out for Development and Housing Services, have recorded a satisfaction rate of 91.4% from a sample of 10% of tenants who had a repair undertaken during that financial year. This equated to 4477 tenants from a sample survey of 4898, with 402 stating they were neither satisfied nor dissatisfied with the repair and 19 expressing dissatisfaction with the repair undertaken. If the 402 tenants who expressed neither satisfaction/dissatisfaction are removed from the figures, the satisfaction rate would rise to 99.7%. Some of the stated reasons by tenants taken from the customer satisfaction surveys for both satisfaction and dissatisfaction have been provided within Appendix 3. Completed Right First Time Repairs have risen from 78% in 2013/14 to 94.8% in 206/17 whilst customer satisfaction has ranged from 78% in 2013/14 through to 96.6% in 2015/16 and dropped slightly to 91.4% last year.

**Key Learning:** Customer satisfaction rate for 2016/17 is 91.4% (approximately 10 % sample) against a national average for local authorities of 86.2%.

5.11 Returns from all Scottish local authorities are submitted to the Scottish Housing Regulator on an annual basis. Those submitted by Renfrewshire Council have been examined and comparisons undertaken with local authorities having similar council house stock numbers including, North Ayrshire Council, East Ayrshire Council, Dundee City Council and West Dunbartonshire Council to provide the Board with relevant information to consider the performance of Renfrewshire Council against these other authorities. The comparison results are tabulated within Appendix 4 to the report and from these it can be seen that overall satisfaction rates are lower within Renfrewshire but not significantly so, other than East Ayrshire Council's rate of 98.7% (closer examination of the details of EAC 's returns shows that they have calculated their satisfaction numbers slightly differently and applying this process to Renfrewshire's numbers, would equate to a satisfaction rate of 99.7%).

**Key Learning:** Significant differences in repair numbers from the Ayrshire local authorities which require further investigation to determine the reasons for this.

- 5.12 From the statistical data, it is evident that there are large differences in the volume of repairs carried out within Renfrewshire (and Dundee) compared with the two Ayrshire authorities, notwithstanding that the housing stock numbers are very similar. The Ayrshire authorities undertook 15-20,000 fewer repairs across their properties than in Renfrewshire. It is also noted that Renfrewshire and Dundee both have a high volume of flats/tenements, being in excess of 70%, compared with 30-40% in the Ayrshire authorities and further work to determine whether this or other reasons, are contributing factors to these numbers.
- 5.13 Appendix 5 to this report offers some questions which the Board may think useful to explore with the representative from the Tenant and Residents Association.

### Implications of the Report

1. **Financial** - none

- 2. **HR & Organisational Development** none
- 3. **Community Planning** none
- 4. **Legal** none
- 5. **Property/Assets** none
- 6. **Information Technology** none
- 7. **Equality & Human Rights** none
  - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
- 8. **Health & Safety** none
- 9. **Procurement** none
- 10. **Risk** none
- 11. **Privacy Impact** none
- 12. **Cosla Policy Position** none

### **List of Background Papers**

None

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# Appendix 1- List of Tenants and Residents Associations Consulted at the Repairs Development Group/Council Wide Tenant Forum

Charleston Tenant and Residents Association

Bridge of Weir Tenant and Residents Association Gallowhill Tenant and Residents Association

Glenburn Tenant and Residents Association Johnstone Castle Tenant and Residents Association

Maxwellton Court Tenant and Residents Association Provost Close TRA

Quarrelton Tenant and Residents Association

Spateston Tenant and Residents Association

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# **Appendix 2- Housing Repair Questions Put to Tenant and Residents Associations and Responses Received**

### **Discussion questions**

- 1. Can you provide examples of housing repairs carried out to a satisfactory standard (either in your own property or for any member of your association)
  - what was the type of repair, who carried it out (council or outside contractor), when was it completed, reasons for satisfaction?

Group 1	Group 2
<ul> <li>Quick</li> <li>Efficient</li> <li>Flooding from shower above.     Attended very quickly and fixed.</li> <li>Neighbour had been locked out. Job attended to quickly and very happy with the repair.</li> </ul>	<ul> <li>Heating issue – operative out within 20 minutes</li> <li>Generally fast call out response</li> </ul>

- 2. Can you provide examples of housing repairs that were **not** carried out to a satisfactory standard (either in your own property or for any member of your association)
  - what was the type of repair, who carried it out (council or outside contractor), when was it completed
  - why were you or the tenant dissatisfied, how was this dealt with and resolved?

Group 1	Group 2
<ul> <li>Issue getting gutters cleared</li> <li>Several visits to correctly fix water penetration near window</li> <li>Issues arising from trying to repair older homes where 'fitting' is no longer manufactured.</li> <li>Boiler replacement. 2 apprentices attended and fitted thermostat in wrong place. Can't get at this without removing whole water cylinder if there are any issues.</li> <li>Ballcock replacement. 4 plumbers, a supervisor and three prior attempts to replace before finally the ballcock and siphon were replaced and resolved issue.</li> </ul>	<ul> <li>Issue with the amount of time on phone in order repairs</li> <li>Issue in trying to get lift repaired in Maxwellton Court</li> </ul>

3. Are you aware of the Council's commitment to carry out repairs 'right first time'? Do you feel that the Council is meeting that commitment?

Group 1	Group 2
<ul> <li>Yes. All were aware of the policy</li> </ul>	Possible now
and think that, in the main, this is	<ul> <li>Marked improvement over the past 2</li> </ul>
being met	years

4. In general do you think that repairs carried out by Building Services are completed to a high standard?

Group 1	Group 2
<ul> <li>Building Services – Yes. Carried out to a good standard</li> <li>Contractors – No (specifically relating to one contractor)</li> </ul>	Operatives – very polite

5. There are certain types of specialist repairs which Building Services are unable to do so we may ask an external contractor to carry them out e.g. door entry repairs, rotworks, drainage etc. In general do you think that repairs carried out by external contractors are carried out to a high standard?

Group 1	Group 2
<ul> <li>Contractors – No (specifically relating to one contractor)</li> </ul>	<ul> <li>poor (caused blocked drains)</li> <li>Example mentioned where a piece of wire was holding up ceiling</li> </ul>

6. Thinking of the whole repairs process from reporting your repair to repair completion, are there any areas of the process which you feel could be improved?

Group 1	Group 2
<ul> <li>Issues with getting through on phone to report repairs</li> <li>Repair Assessors often don't listen to tenants regards what repairs are required.</li> </ul>	<ul> <li>Would like opportunity to describe repair over phone</li> </ul>

### **Appendix 3- Customer Satisfaction Survey Comments on Repairs**

### **Positive**

- Lady happy with the small repairs in her property, able to open and close the windows with ease and nothing seems to be loose or insecure. All went well in the repair.
- Tenant was not in when the repair was carried out, however, she is satisfied with the reporting procedure of repairs and is happy with the quality of work carried out by electrician.
- tenant's partner confirmed plumber appeared early on previous day and that she was was happy with repair carried out and no problems had arisen again.
- Tenant thought that the joiner attended for this job was very courteous and helpful.
   He answered any questions that the tenant had about job and she advises that work was completed very quickly, with no mess left behind.
- Tenant is happy at how quickly the repair was fixed. The gas engineer that attended was friendly and helpful and she thought that the telephone service was easy to use.
- Tenant happy with engineer's repair to small leak coming from boiler, engineer appeared in good timing and resolved problem. Tenant delighted with housing repair service.
- Tenant thought that the joiner carried out work to a great quality. He didn't
  experience any issues with the service at all and is very happy with how quickly the
  repair was carried out.
- Tenant has used the housing repair service quite a few times, and she has had no
  issues with each of these times. Tenant thought that the plumber that attended for
  this job was very polite and friendly.
- tenant advised he thought about forcing window shut but knew he may of damaged it more, happy with specialist guy who came out and fixed it, window opening and shutting again.

### **Negative**

- Tenant thought that the housing repairs process was quite lengthy for them however, apart from this they are happy with the service received.
- Tenant has been having on going issues with this repair it has been reported previously and the joiner was unable to repair it. The same joiner has attended again and advised the same thing. Tenant feels a bit frustrated with the service, and doesn't feel that the information he has given has been put on the system properly. He advised that the joiner carried out a good job on his other repair.
- Customer was very unhappy with the attitude of the electrician. (tnt has made complaint). Very rude with answers to questions and rude to family members in home.
- Tenant is satisfied with work completed on this occasion, however, in the past he has
  previously been unsatisfied with the service received and he is unhappy with the
  reporting process for housing repairs, as he advises that in the past his repairs have
  been missed or their is a long timescale for them.
- Tenant advises that the plumber attended to fit a new shower curtain, however, she
  is not satisfied with work carried out, as the shower curtain is still unsuitable for her
  needs. Tenant is going to report back over to housing repairs.

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# Appendix 4- Customer Satisfaction Comparison with Selected Local Authorities (2016/17 Scottish Housing Regulator Returns)

	Renfrewshire	North Ayrshire	East Ayrshire	Dundee
Housing Stock Numbers	12,220	12,986	12,529	12,582
% of Flats in Housing Stock	71%	37%	44%	74%
No. Reactive complaints completed 2016/17	54,276	32,085	38,498	54,247
Repairs by Trade* Electrics Gas Joiner Plumber Plaster Works uPVC Works Other	5,777 10,907 5,204 8,442 2,390 2,051 1,240	To be confirmed	To be confirmed	To be confirmed
Average Cost of Repairs (excluding Programmed Repairs)	£80.10	To be confirmed	To be confirmed	To be confirmed
Average Cost of Repairs (including Programmed Repairs)	£216.29	To be confirmed	To be confirmed	To be confirmed
Number of Tenants Surveyed	To be confirmed	To be confirmed	To be confirmed	To be confirmed
Number of Tenant Responses	4898	730	2641	428
% Repairs Completed Right First Time	94.8%	98.4%	84.6%	73.7%
% Satisfaction with Repairs	91.4%	93%	98.7%	95.3%

<sup>\*</sup>Repairs by Trade from Right First Time Data

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## **Appendix 5- Potential Questions for the Tenant and Resident Association Representative**

- From your experience, how would you personally rate the Council Repairs service?
- Several comments from Tenant and Residents Associations have referred to the repairs process being lengthy. Would you agree with this comment and what would you recommend as options to improve the experience?
- Is there any specific type of repair which you consider to be the cause for most concern?
- The overall satisfaction rate for the Repairs Service is 91.4% from last year. Do you think this would be reflect the general feeling amongst tenants?
- Would you agree that the Coucnil's commitment to undertaking repairs 'Right First Time' is raising the standard and quality of repairs?
- Would you be surprised that North Ayrshire Council had 20,000 fewer repairs and East Ayrshire Council had 15,000 fewer repairs than that in Renfrewshire, despite having similar numbers of Council properties?
- Can you suggest any reasons why this could be the case?
- Is there anything which you would wish to see changed and improved regarding the Repairs Service offered?
- Equally, is there anything which you would wish not to see changed?
- Are there any particular areas of the repairs service which give you or tenants cause for concern?
- Do you have any opinion on the adequacy or, otherwise of monitoring and review of repairs?
- From our tenant's survey, 4898 responded and of those 402 tenants didn't express either being satisfied or dissatisfied with their repair. Are you surprised by this number and do you have any thoughts on why so many tenants didn't express a view?
- Are there any other comments which would wish to make regarding the Council's Repairs Service?

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