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Minutes of the meeting of the SCRUTINY MANAGEMENT COMMITTEE held on WEDNESDAY 24 MARCH 2021 at 7.00 pm

**Present:** Councillor McLean (Chair)  
Councillors R Bradburn, Brown, Carr, Crooks, Ferrans, P Geary, Gowans, D Hopkins, Jenkins, Khan, Long, Miles and Walker.

**Apologies:** Councillors Priestley (substituted by Councillor Miles) and Wales

**Officers:** L Beckett (Head of Performance and Information) and R Tidman (Committee Services Manager).

**Also Present:** One member of the public

**SM40 DISCLOSURES OF INTEREST**

None

**SM41 MINUTES**

RESOLVED -

That the Minutes of the meeting of the Scrutiny Management Committee held on the 17 February 2021 be approved and signed by the Chair as a correct record.

## SM42

### **PUBLIC INVOLVEMENT**

There was one public submission received on behalf of the Blakelands Residents Association. Their submission (attached as Annex 1 to the minutes) asked that the Committee:

1. Reviewed the Council's retention policies across all information types the Council holds, removing any inconsistencies and publishing that policy on the Council website as was required by the Freedom of Information Act.
2. Reviewed the processes used by the Council in searching for information and responding to any requests under any of the Information Governance Acts. Ensure they are properly documented and were published for all relevant staff and public to see.
3. Reviewed the technology used by the Council to search for and retrieve information requested under the relevant Acts, to ensure a rigorous search for that information was carried out and that the processes used, can be audited.
4. Ensured all staff who respond to requests for information had received the appropriate training to ensure these were dealt with in accordance with the Council's policies and procedures.
5. To address that backups of any e-mails that may have been deleted either in error or deliberately were only available for 28 days from the event.

The Chair advised that as the Planning Group for the Committee received the request in good time, they were able to consider it and agreed to add an item to the next meeting of the Committee to scrutinise the Council's record retention and deletion policy.

RESOLVED –

That an item on the scrutiny of organisational records retention and deletion policy be scheduled for the next meeting of the Committee.

## SM43

### **REPORTS FROM CHAIRS ON ISSUES WHICH HAVE ARISEN AT MEETINGS OF THEIR COMMITTEES (INCLUDING REFERRALS) / TASK AND FINISH GROUPS AND DRAFT WORK PROGRAMMES 2021/22 UPDATES**

The Committee considered updates from the Scrutiny Committee Chairs and any comments on the draft 2021/22 Work Programmes.

(a) Budget and Resources Scrutiny Committee

Councillor R Bradburn, Chair of the Committee, advised that it had been an unusual year for the Committee as it had been for all. Next year there would be some looking back at the impact of Covid-19 as well as looking forward to issues that had been raised as part of the Budget Challenge process. It had proved very useful to receive regular updates on the Glebe Farm through school to scrutinise how the Council manages large capital projects.

(b) Children and Young People Scrutiny Committee

Councillor Carr, Chair of the Committee, advised that the draft programme for 2021/22 would include a focus on scrutinising progress on the child poverty recommendations and they would continue to have a Covid-19 update as a standing item. The Committee continued to review the situation at Stantonbury International School and press for positive outcomes there. As Councillor Miles was retiring from the Council, Councillor Carr took the opportunity to express her thanks to him for his work on the Committee over the years and more recently as a Vice Chair.

(c) Community and Housing Scrutiny Committee

The Chair of the Committee, Councillor Ferrans, noted that the Committee had met and started to look at the topic as to what was the housing need in Milton Keynes. They had considered the housing needs of youths and older people. The Committee suggested a number of changes to their Terms of Reference.

(d) Health and Adult Social Care Scrutiny Committee

The Chair, Councillor Jenkins outlined that the Committee have had quite a year and on behalf of the Committee she would like to pay tribute to the enormous efforts of all frontline workers across the city for their work over the last year. The Committee have had a standing Covid-19 update including a recent update on the vaccination programme along with scrutinising mental health implications, domestic abuse implications and reform of clinical services across Milton Keynes. The Committee looked forward to working with the Children and Young People's Committee on children and young people's health issues. With Councillor Williams retiring, Councillor Jenkins took the opportunity to thank him for his support and work that he has

contributed over the last few years to the health agenda in Milton Keynes.

(e) Regeneration & Renewal Scrutiny Committee

Councillor Crooks, Chair of the Committee, referenced the update circulated prior to the meeting concerning their most recent meeting. The Chair highlighted that the Committee was keen to ensure that they continued to develop opportunities for two way engagement between the Council and the residents affected by regeneration and renewal.

(f) Scrutiny Management Committee

Councillor McLean, Chair of the Committee noted that their planning meeting had prepared the draft work programme for 2021/22.

(g) Strategic Placemaking Scrutiny Committee

The Chair of the Committee, Councillor P Geary advised that their last meeting scrutinised the waste trial and proposals to implement a new waste contract and how that would be implemented. Waste procurement would be one of the major items for the Committee next year.

(h) Covid-19 Task and Finish Group

The Chair of the Task and Finish Group, Councillor D Hopkins, updated the Committee that the Group had met recently and took evidence from the Council and voluntary and community sector. A number of recommendations have come forward and would form part of the final report. The Group would aim to submit a final report to Scrutiny Management Committee in September.

Councillor Long asked whether the Budget and Resources Scrutiny Committee could be requested to consider taking the HRA Business Plan and the Borrowing Framework at the same meeting.

RESOLVED –

1. Budget and Resources Scrutiny Committee

(a) That the draft Work Programme for 2021/22 be noted.

(b) That the Planning Group be asked to consider taking the HRA Business Plan and the Borrowing Framework at the same meeting.

2. Children and Young People Scrutiny Committee
  - (a) That the draft Work Programme for 2021/22 be noted.
3. Community and Housing Scrutiny Committee
  - (a) That the draft Work Programme for 2021/22 be noted.
  - (b) That the changes proposed to the Community & Housing Scrutiny Committee Terms of Reference be referred to Council for adoption.
4. Health and Adult Social Care Scrutiny Committee
  - (a) That the draft Work Programme for 2021/22 be noted.
5. Regeneration & Renewal Scrutiny Committee
  - (a) That the draft Work Programme for 2021/22 be noted.
6. Scrutiny Management Committee
  - (a) That the draft Work Programme for 2021/22 be noted.
7. Strategic Placemaking Scrutiny Committee
  - (a) That the draft Work Programme for 2021/22 be noted.
8. Covid-19 Task and Finish Group
  - (a) That it be noted that the Task and Finish Group would aim to make their final report in September 2021.

#### **SM44**

#### **PROPOSED TASK AND FINISH GROUPS FOR 2021/22**

The Committee undertook a discussion around proposed Task and Finish Groups for 2021/22.

Councillor Ferrans proposed that the Council needed to look at the question as to what type of housing does Milton Keynes need for the future.

Councillor P Geary proposed that there needed to be a Task and Finish Group to scrutinise issues around improving the planning service.

Councillor Crooks advised that the Council was using a traffic modelling system that took the Council to 2048 and significant evidence for decisions were being based on the assumptions that were being fed into this and it was there an important issue to scrutinise.

Councillor Crooks also proposed scrutiny of the Council's adoption policy where there continued to be difficulties over Section 38 and that work needed to be carried out to gather evidence on this issue.

Councillor Crooks final suggestion was an item on the IT retention policy and record keeping with concern as to whether the Council was doing anything that might through their policies lead to documentation being erased. And this was something the Committee should be concerned with and warranted further scrutiny. Councillor David Hopkins suggested that work on the IT retention policy was more urgently needed to be dealt with than waiting for a Task and Finish Group.

The Chair suggested that members who wished to propose a Task and Finish Group began work on drafting a set of terms of reference with the Overview and Scrutiny Officers for any suggested Task and Finish Groups.

RESOLVED –

That members who would like to propose a Task and Finish Group liaise with the Committee Services Manager to draft a scoping document on each proposed topic to be submitted to the next meeting of the Committee.

**SM45**

**SCRUTINY MANAGEMENT COMMITTEE – PLANNING GROUP:  
22 FEBRUARY 2021**

The Committee received the notes from the Scrutiny Management Committee's Planning Group held on 22 February 2021.

RESOLVED –

That the notes and outcomes of the Management Committee's Planning Group held on 22 February 2021 be agreed.

THE CHAIR CLOSED THE MEETING AT 8.08 PM

[The recording of this meeting is available to view on the Council's YouTube Channel at: https://www.youtube.com/user/MiltonKeynesCouncil](https://www.youtube.com/user/MiltonKeynesCouncil)

# ANNEX 1

## Information for Scrutiny Committee on behalf of Blakelands Residents Association

Before I start, I want to put in context the points I am about to make to you tonight.

Before I retired, I was the Corporate IT Manager for Luton Borough Council. I had ultimate responsibility for ensuring the Council conformed to all legislation relating to the management and security of information. This meant ensuring the Council had the appropriate policies and procedures in place to ensure the effective management and security of all information, electronic or manual. In addition, that the Council was using the correct technology and that specific IT practices were in place to ensure those policies were implemented effectively.

Irrespective of how the issue has been brought before you tonight, you need to be aware that the Council is potentially facing a really serious situation, if the issues raised in the judgement, are not swiftly addressed.

**The judge states that the policy on the retention/deletion of e-mails is unclear and that it has not been applied in a consistent manner. Similarly, he states that the Council's document retention policies are also unclear and appear to have been applied inconsistently, and it is surprising no backups of e-mails were available 28 days after deletion.**

As a result of that judgement, I believe you must:-

1. Review the Council's retention policies across all information types the Council holds, removing any inconsistencies and publishing that policy on your Council website as is required by the Freedom of Information Act.
2. Review the processes used by the Council in searching for information and responding to any requests under any of the Information Governance Acts. Ensure they are properly documented and are published for all relevant staff and public to see.
3. Review the technology used by the Council to search for and retrieve information requested under the relevant Acts, to ensure a rigorous search for that information is carried out and that the processes used, can be audited.

4. Ensuring all staff who respond to requests for information have received the appropriate training to ensure these are dealt with in accordance with the Council's policies and procedures.
5. Finally, to address, what I believe is the most serious of the issues identified in the report, that backups of any e-mails that may have been deleted either in error or deliberately is only available for 28 days from the event.

It is beyond comprehension in this day and age, that the Council puts in place, a policy that prevents the recovery of any information beyond 28 days of its loss. IT providers can ensure that there is a rolling backup process, enabling any data to be recovered within a 12-month period of time of an incident.

Such data recovery issues are critical for the Council to resolve. Whilst losing planning information is serious enough, if the Council were to lose safeguarding information on vulnerable adults or children, or other such sensitive information in a similar incident, the impact would be far greater.

If you feel that my experience in this area as a retired senior officer in a local authority could be of any help, I would be happy to provide any background knowledge I have on this subject.