Public Document Pack

Overview and Scrutiny Management Board

Public Forum

Date: Thursday, 27 October 2022

Time: 9.00 am

Venue: The Council Chamber - City Hall, College Green, Bristol, BS1 5TR

Distribution:

Councillors: Tony Dyer (Chair), Mark Bradshaw (Vice-Chair), Geoff Gollop, Tim Kent, Brenda Massey, Graham Morris, Steve Pearce, Barry Parsons and David Wilcox

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Date: Thursday, 27 October 2022

Agenda

6. Public Forum

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Up to 30 minutes is allowed for this item.

Any member of the public or councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. Public Forum items should be emailed to scrutiny@bristol.gov.uk and please note that the following deadlines will apply in relation to this meeting:

Questions - Written questions must be received at least 3 clear working days prior to the meeting. For this meeting, this means that questions must be received in this office at the latest by **5.00 pm on Friday 21 October 2022**.

Petitions and Statements - Petitions and statements must be received at latest by 12.00 noon on the working day prior to the meeting. For this meeting, this means that petitions or statements must be received in this office at the latest by **12.00 noon on Wednesday 26 October 2022.**

Please note: questions, petitions and statements must relate to the remit of the Overview and Scrutiny Management Board.

Overview & Scrutiny Management Board
27 October 2022
Public Forum

Questions

Ref	Name	Topic
Q1	Jen Smith	SEND - allegations of Council officer involvement in collecting social media information
Q2	Suzanne Audrey	Agenda item 8 – City Office update
Q3	Suzanne Audrey	Agenda item 9 – Bristol City Council governance arrangements

Statements

Ref	Name	Topic
S1	Jen Smith	SEND - allegations of Council officer involvement in collecting social media information
S2	Clive Stevens	Agenda item 9 – Bristol City Council governance arrangements
S3	Councillor Geoff Gollop	OSMB Work Programme

Public Forum Questions

QUESTION 1: Jen Smith
Reference: SEND - allegations of Council officer involvement in collecting social media information

As I have been unable to get this question answered through FOI, I am including it here. The only change I have made is to extend the date until 20 October 2022. The council have had since June to compile this information so it should be ready.

Please may I have all the documents compiled, including information held on computers, in emails and in printed or handwritten documents as well as images, video and audio recordings all taken in the monitoring and surveillance of Bristol Send (Special Educational Needs and Disabilities) parents. This is to include the compilations of social media posts on Facebook and Twitter.

Whilst parent names will be redacted, please make it clear how many individuals are on lists and how many different parents this affects.
This can be narrowed down to between 01 September 2021 and 20 October 2022.

Please include all information from all officers from Executive Director of People Hugh Evans downwards. And any that connects with the Mayor's office or Cabinet members. And any that connects with the Parent Carer Forum.

Officer Response

This request is currently at internal review stage and the council is currently within the statutory deadline for providing a response. You should receive the outcome of the internal review soon.

QUESTION 2: Suzanne Audrey
Reference: Agenda item 8 – City Office update

Background. It is quite shocking that it has taken so long for the City Office to propose that elected members are allowed to be meaningfully involved in One City activities. It is now proposed: elected members, who have an interest/experience in a particular thematic area, be able to participate in Task and Finish groups where possible; details of events are proactively shared with political group's offices and a limited number of representatives from each political party be invited to attend; a limited number of representatives from each political party be invited to the City Gathering; where an elected member is leading on a particular piece of work in the city that aligns to the topic of an event or City Gathering that a speaking slot be offered. However, I note the use of the words "where possible" and "limited number". Whilst I accept there need to be some restrictions on numbers, it is worrying that the Mayor's Office has excluded members of other political parties, and sidelined people perceived to be critical of the elected mayor, in the past. I am concerned about who will decide which elected members are invited and allowed to participate in One City activities in the future. This should be for the party groups and members concerned.

Question 2. Will the party groups decide which of their elected members participate in One City activities or will the Mayor's Office continue to intervene in the process?

Officer Response

To date decisions about elected member involvement in the City Office have been led by the Mayor's Office. Elected members are currently represented on the One City boards and groups through their roles as Cabinet portfolio holders. The City Office primarily works with external partners and the council is only one of a number of partners the City Office engages with. As such, the City Office keeps the number of representatives from partner organisations on any board at one or two and adopts the same approach for meetings and events. This is true for Bristol City Council staff as well with a limit of one or two Council staff represented on each board and task and finish group.
It is for this reason that we have proposed a similar approach be adopted for the elected members as we do not normally invite multiple representatives from any one partner. Party groups will however be able to determine which of their elected members participate in One City activities as has been the case with previous City Gatherings and the One City Living Rent Commission work.

QUESTION 3: Suzanne Audrey
Reference: Agenda item 9 – Bristol City Council governance arrangements

Background. Most of the appendices are missing from the Draft Communications and Engagement Strategy for the Committee Model Working Group, including the Stakeholder List. Under the current elected Mayor, there have been restrictions on who is permitted to engage in events and meetings. Those who are perceived as critical have been, and continue to be, sidelined. This is not good for democracy or decision-making, and we now have an opportunity to involve a wider range of voices.

Question. What measures are in place to ensure that a broad range of stakeholders from across the city are included in the Stakeholder List, and the Mayor's Office will not interfere in the process?

Officer Response:

As set out in the report, the cross-party Committee Model Working Group is keen to carry out engagement with the public and a broad range of stakeholders to share information about the Committee Model and to obtain views about the emerging design principles. The Committee Model Working Group are in the process of finalising their comprehensive engagement strategy which sets out the ways in which they will do this. In the meantime, the public are invited to send in any comments on the governance transition to our dedicated email address: committeesystem@bristol.gov.uk

Public Forum Statements

Statement 1: Jen Smith
Reference: SEND - allegations of Council officer involvement in collecting social media information

Whilst it's hard sometimes for parents to find the line where incompetence ends and lawbreaking begins, what has become very clear since the unlawful covert spying scandal has emerged, is that Bristol City Council operates in a vindictive manner, protecting senior officers who operate in underhanded and unlawful ways.

Full Council this month proves those officers are protected in their actions by the Mayor, his Cabinet leads and the Bristol Labour Party, whose offensive and dismissive approach to Send parents is just a disgrace.

This is further compounded by the Mayor's attack on a local opposition councillor who had the balls to bring the motion in the first place.

Councillor Asher Craig said: '...any suggestion that this council was carrying out covert surveillance on parents is just ridiculous.'

Not as ridiculous as a Cabinet lead for education misleading councillors about the source of Parent Carer Forum funding, which comes from the Department for Education and not Bristol City Council. That's ridiculous.

The issues with the council are not just about the spying. The spying started because they do not like legal challenges against unlawful processes with Send, which have a massive and traumatic impact on families, children and young people. But they're the ones breaking the law.

It also started because they do not like the unlawful behaviour being called out publicly like this. Anytime someone mentions Judicial Review, it's like a massive jump scare, but they do not change their behaviour to reduce this risk.

There are further associated unlawful acts going on connected to this spying which impact people's human rights.

The council will not release my data under a SAR made on 04 August 2022. They have not responded to repeated attempts to ask why this is.

They have not responded to a Stage 1 complaint I made about this on 15 September 2022.

The council will not respond to a letter I wrote informing them on 07 October 2022. This was about Judicial Review action I would be taking regarding deliberately missing EHCP social care provision for one of my children.

Despite my warning to the judge at the time, I had to watch Bristol City Council witnesses lie to Sendist about this provision 'looking favourable' yet 7 months later I learned that 'looking favourable' is code for 'we're never going to do it'.

The council has also not fully responded to an FOI I made on 11 June 2022 about the monitoring and surveillance the People Directorate was carrying out. In a heavily delayed response, they sent me a random mishmash of a couple of documents, one which accidentally showed they were using personal accounts to spy and collate data, but certainly nothing near what I asked for in the request.

Bristol Send is littered with more disasters, conflict and high stakes than a Bruce Willis movie. There would be fewer for a start if the council funded provision in EHCPs instead of Alternative Learning Provisions having to suspend tutoring for children because the council will not pay their bills.

The worst thing about this is that senior council officers are completely unstoppable. There appears to be a culture of do what you like, to whom you like and it's fine because no matter the immoral actions and stance taken, the Labour party will have your back.

This toxic culture is being funnelled into a power play between the top of the council, its Cabinet and a poxy bit of funding from the Department for Education to let beaten down families get a tiny say into the services letting them down. Utterly disgraceful.

Statement 2: Clive Stevens
Reference: Bristol City Council governance arrangements

Dear OSM - 56,000 people voted to get rid of the mayoral governance system in May's Referendum.

They put their trust in you. And supported the majority of councillors wishing to run this city using committees (plus a leader elected by councillors). Some of the public will want a say in how you plan to do it.

I am pleased to read in the Comms strategy that the Council Administration plan to set up a dedicated email address to receive comments. Can this be widely communicated with the public please along with open and close dates.

Statement 3: Councillor Geoff Gollop
Reference: OSMB Work Programme

I am concerned that our ability to scrutinise the Councils companies has been seriously diminished as we no longer have reports on the year end accounts presented to our meetings. I have discovered this information since our last Leads meeting and feel it appropriate to share with you.

As an example Bristol Heat Networks account to 31 March 2022 show a loss of £937,471 with the loss and any future trading loss underwritten by the Council. The accounts state that the business sale will have taken place by the end of December 2022. Presumably there will be further losses in this period. I believe members should have the chance to understand whether the Council will end up bearing the loss and whether, and indeed how it was budgeted for.

For the same period, Goram Homes reported a loss of £850,730 for the year and a cumulative of £2.4m. It would be helpful to have a presentation on how this performance compares to the original budget and how it is funded

I think it is very unfortunate that ordinary members of Council can only find this information by searching at Companies House. Bristol Waste accounts are not yet filed, so we have no idea of what questions may be relevant.

I urge OSM to request a specific item on Council company trading and performance at its next meeting,