COUNCIL EXCELLENCE OVERVIEW AND SCRUTINY COMMITTEE

Tuesday, 21 September 2010

<u>Present:</u> Councillor P Gilchrist (Chair)

Councillors A Brighouse A McArdle

J Keeley D McCubbin
P Davies J Stapleton
P Kearney S Williams

B Kenny

41 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST/PARTY WHIP

Members were asked to consider whether they had personal or prejudicial interests in connection with any item(s) on this agenda and, if so, to declare them and state what they were.

Members were reminded that they should also declare, pursuant to paragraph 18 of the Overview and Scrutiny Procedure Rules, whether they were subject to a party whip in connection with any item(s) to be considered and, if so, to declare it and state the nature of the whipping arrangement.

Councillor Steve Williams declared his personal interest in agenda item 20 (Schools Risk Management) (see minute 60 post), by virtue of his wife's employment.

42 MINUTES

Resolved – That the minutes of the meetings held on 8 July (two meetings), 24 and 26 August 2010, be approved.

43 STRATEGIC CHANGE PROGRAMME UPDATE

The Director of Technical Services reported that at its meeting held on 22 July 2010 (minute 100 refers), the Cabinet had considered a report of the Deputy Chief Executive/Director of Corporate Services, which summarised the findings and recommendations of a review of the Strategic Change Programme. The recommendations had all been accepted by the Cabinet and a Strategic Change Programme Board had been established. The Director of Technical Services had been nominated to undertake the role of Lead Chief Officer and he indicated that a Strategic Change Programme office had been established under his control, which comprised existing staff relocated and/or seconded on a time limited basis, funded initially from the Council's Efficiency Fund.

He commented also that the Chief Executive, in consultation with the Strategic Change Programme Board, had been given delegated authority to take all decisions relating to the Strategic Change Programme, including those related to staffing and resourcing, so far as such decisions were not contrary to the Council's budget.

He reported upon progress that had been made with regard to the implementation of the recommendations agreed by the Cabinet. The aim of the Programme was to identify savings and efficiencies and he commented that there were now potentially 60 projects within the Plan, which would be presented to the Board, to be incorporated into the Strategic Change Programme.

In response to questions from Members in relation to the achievement of significant savings targets, the Director reported that all projects now had to be fully considered by the Project Lead, the relevant Chief Officer and the Director of Finance to confirm that the savings identified and the timescales indicated were deliverable. At this stage, he was not able to set out the extent of savings for future years, as projects had not yet been fully evaluated and accepted by the Board.

Resolved – That the update report be noted and a further, more detailed report be presented to a special meeting of the Committee, to be held on 28 October 2010.

44 FINANCIAL MONITORING STATEMENT

The Director of Finance provided a summary in tabular format of the position of the revenue accounts and General Fund balances as at 31 July and 31 August 2010. It included a composition of the original 2010/2011 budget by Department including agreed savings and policy options; monitoring against the 2010/2011 budget including the financial implications of any changes agreed through Cabinet decisions; anticipated variances, changes not agreed by the Cabinet, against the original budget; and comments to provide an explanation of variances and other potentially volatile areas within departments, identified as requiring further attention.

He reported that Adult Social services had highlighted pressures within community care, due to increasing demand, especially in learning disabilities, achieving income targets and transport. This had been assessed at £6.1m, however, the Director of Adult Social Services was reviewing the options before declaring a potential overspend as he was looking at ways to keep within the budget allocated. At 31 August 2010, Children and Young People were reporting a potential overspend of £1m, down from £1.8m in July, primarily due to residential care placements and foster care costs. However, the Director of Children's Services was also looking at actions to remain within the budget allocated.

The Director reported that the projected level of balance at 31 March 2011, when setting the budget for 2010/2011, was £6.5m. Changes agreed by the Cabinet increased this to £9.4m although the loss of LABGI/LAA grants saw this fall to £7.8m. He commented that whilst pressures existed within a number of departments, the Directors were looking at actions to enable spend to remain within the budgets allocated. However, the impact of the forecast departmental variations, if realised, would reduce the balance by £0.5m to £7.3m at 31 March 2011, although this presently excluded any variations in respect of Adult Social Services.

Resolved – That the contents of the financial monitoring statements be noted.

45 FIRST QUARTER PERFORMANCE EXCEPTION REPORT 2010/2011

The Interim Director of Corporate Services presented the First Quarter Performance Exception Report 2010/2011. Performance at quarter one was good, with 71% of the performance indicators and 85% of the projects rated as green, or over-performing. However, the report provided details of a number of performance issues that had been highlighted as not performing as planned at the quarter one stage and set out also the year end forecast position and the corrective action required.

In response to a request from Members with regard to the move to locally based accountability, the Director agreed to present a further, more detailed report to a future meeting in relation to the use of monitoring data gathered for the purpose of national indicators being retained as a local performance measure. He also proposed also to include within his report details of performance against key Economic National Indicators that had not been available for consideration at this meeting.

In response to a further comment from Members in relation to the continued use of benchmarking, the Head of Policy and Performance indicated that Wirral was part of the NWIEP regional benchmarking cohort. She proposed to raise the issue at a forthcoming meeting with a view that benchmarking should continue to be undertaken at a regional level.

Resolved – That a further, more detailed report be presented to a future meeting of the Committee, to include a shortlist of suggested performance indicators and a list of regional benchmarking comparators, for Members' consideration.

46 REACHING EXCELLENT LEVEL OF THE EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT (EFLG) - QUARTER ONE 2010/2011 CORPORATE PERFORMANCE MONITORING REPORT

The Interim Director of Corporate Services presented the first corporate performance monitoring report for 2010/2011 for reaching the excellent level of the Equality Framework for Local Government. He reported that as an 'achieving' Council (formerly known as level 3), departments should be embedding processes and systems that had been developed over the last two years, for example equality impact assessments, online equality and diversity training, flexible working arrangements, inclusive community engagement structures, etc.

However, as the Council worked towards achieving 'excellent' status by November 2011, departments needed to be developing more innovative activities that other organisations could learn from; activities that the Council could demonstrate had encouraged efficiencies as well as improved the quality of life of residents. Therefore, the format of reporting had changed to reflect the themes and expectations of the Equality Framework, the format of departmental action plans, and to present progress in a more informative and useful way.

The report provided a summary of progress and examples of following best practice, innovation and opportunities for evidence case studies (all green milestones) and areas for further improvement (amber and red milestones) against each of the themes of the Equality Framework.

In response to requests from Members, the Director agreed to include within the next monitoring report (i) further information in relation to employee forums and, (ii) the reasons for low levels of Black and Ethnic Minority individuals accessing mainstream services.

- (1) That the progress of the Council's various equality action plans be noted.
- (2) That the report be submitted to the Corporate Equality and Cohesion Group, the Departmental Equality and Cohesion Groups, and the Performance Management Group, in order to generate ideas for developing more innovative activities and ways of documenting case studies.
- (3) That the Departmental Equality and Cohesion Groups be requested to review their current action plans in order to identify where examples of innovation and evidence case studies can be developed, to be presented to the Corporate Equality and Cohesion Group by December 2010.
- (4) That Departmental equality leads be requested to generate more interdepartmental activity, especially where duplication is taking place, e.g. equality and diversity training, monitoring of hate crimes and hate incidents and developing the role of dignity at work officers

47 OFFICE RATIONALISATION

Further to minute 32 (24 August 2010), the Director of Law, HR and Asset Management presented his report on Office Rationalisation, which was to be considered by the Cabinet at its meeting on 23 September 2010. The Director referred to the changing context in which future accommodation requirements would be considered, which suggested a limited capacity for major investment in accommodation at the present time, limited priority for investment in administrative accommodation and uncertainty about the future size and shape of the organisation. He commented upon the requirement for further work to clarify which services should be centralised and which should be located in communities for reasons of efficient and effective service delivery. There was also a need for any proposals implemented at this time to offer flexibility to accommodate future change.

He reported also that after the EC Harris report had been considered by the Cabinet, Wirral Partnership Homes (WPH) had informed officers that they were presently evaluating a number of options to consolidate their administrative functions in one location and had sought to work with Council officers to evaluate the option of their buying Westminster House for this purpose. He commented that if that option was to be pursued, upgrading and enhancing both the North and South Annexes in Wallasey would be required to provide the capacity necessary to vacate Westminster House.

The Director outlined the issues that had arisen from the Cabinet's preferred option and referred to the ICT provision that was required to support the administrative estate. He indicated that upgraded ICT provision would be essential to support new ways of working. In order to drive agile working, which in turn would realise ongoing savings in building running costs, staff needed to be able to communicate and work efficiently and effectively in a variety of locations and, where appropriate, to work away from a fixed workstation. Where agile working was a key element in intensifying the use of a building, the Director strongly recommended that, given the nature of the existing infrastructure, the ICT infrastructure should be renewed.

In the light of the changing context and issues that had arisen from the Cabinet's preferred option, the Director indicated that in order to move forward with office rationalisation, the views of the Cabinet would be sought as to whether to intensify the use of Westminster House or to refurbish the North and South Annexes and dispose of Westminster House. He indicated that the options were dependent upon the evaluation being undertaken by WPH in relation to Westminster House and he commented that the evaluation exercise was expected to be completed by 5 October 2010. Nevertheless, he set out the estimated costs of each option and indicated that whichever option was chosen, the comprehensive refurbishment and enhancement of a retained building would create opportunities to improve the sustainability and environmental performance of the building and reduce CO2 emissions. Those opportunities would be addressed in the design of the scheme.

In response to a question from a Member in relation to the savings target of £1m per annum, set out in the EC Harris report, the Director indicated that it would not be achieved by 1 April 2011. However, the position in relation to savings would be clearer in November and he indicated that work undertaken during the current year would result in savings in 2012/2013.

Resolved - That the Cabinet be advised of the views of this Committee:

(a) That there should be an early resolution in relation to the future of Westminster House.

(b) That urgent progress should be made in relation to agile working, in order to reduce the occupancy of buildings and to establish ways of working in communities to the benefit of local residents.

48 TOTAL PLACE

The Deputy Chief Executive/Director of Corporate Services reported that "Total Place: A Whole Area Approach to Public Services" was a Communities and Local Government pilot programme that looked at how public money was spent in a local area and how it could be used more efficiently to improve local services. He presented a briefing note as requested by Members on the Total Place pilot that was conducted across 13 pilot areas between April 2009 and March 2010 and commented that the pilots identified and mapped levels of public spending across a specific theme of work in their area and explored ways to overcome organisational and cultural barriers to improvement.

He reported that the Department for Communities and Local Government had not provided any detailed update on Total Place since the change of Government in May 2010. However, the Secretary of State, in a speech in July 2010, referred to place based area budgets or community budgets and implied far more freedoms for local authorities than was ever envisaged under Total Place including a greater emphasis on de-ringfencing funding and providing greater powers of autonomy. Whilst further details about Community Budgets were yet to emerge from Whitehall, he indicated that, in the current climate, there was unlikely to be any prescriptive framework that would govern what councils should do.

In response to comments from Members, the Director indicated that officers were considering effective partnership working across the public sector, in particular shared services with Health.

Resolved -

- (1) That the constructive examples of work undertaken in the Total Place pilot areas be noted.
- (2) That this Committee welcomes ongoing discussions with partners across the public sector with regard to a whole area approach to public services.
- (3) That, notwithstanding what proposals are introduced by the Government to replace Total Place, this Committee welcomes the continued progress in relation to shared services.

49 **REVENUES AND BENEFITS**

The Director of Finance provided information on the position regarding Council Tax, National Non Domestic Rate, general debt and cash income collection and the payment of benefits. Members expressed their concern in relation to income from golf courses, which was anticipated to underachieve against the budget by £175,000. Members noted that the budget for golf income had not been achieved for at least the last three years and referred to a commonly held belief that people were using the municipal golf courses without having paid to do so.

- (1) That the report be noted.
- (2) That the Head of Cultural Services be requested to investigate the issues in relation to golf course income, including measures in place to ensure that people paid to play, and present a report to the next meeting of the Committee.

50 **BUDGET PROJECTIONS 2011 - 2015**

The Director of Finance presented an update of the projected budgets from 2011 to 2015, in line with the decision of HM Treasury to undertake a four year Spending Review. He set out the assumptions which underpinned the budget projections, which indicated a shortfall of £30.5m in 2011/2012, £23.7m in 2012/2013, £27m in 2013/2014 and £27.4m in 2014/2015.

He commented that the Government was consulting upon a range of options regarding the grant settlement for 2011/2015, due to be announced in December 2010. However, there was a possibility that the DCLG would issue a two year settlement covering 2011/2013 with a subsequent two year settlement for 2013/2015, after the completion of the review of Local Government Finance. He reported also that during the course of this budgeting period the results of the Census 2011 would become available and would be incorporated into the grant distribution formulae. The Office for National Statistics had now released the mid 2008 estimated populations and the Director commented that the reduction for Wirral was greater than for any other metropolitan or unitary authority; if this was confirmed in the Census 2011 then the reduction in grant receivable could be significant.

The Director set out also the position in relation to balances and referred to efficiencies that would be required to be delivered for 2011/2015 that were well in excess of the statutory efficiency target.

Resolved -

- (1) That the budget projections be kept under review.
- (2) That further efficiencies be delivered.

51 TREASURY MANAGEMENT QUARTERLY MONITORING

The Director of Finance presented a review of Treasury Management activities during the first quarter of 2010/2011 and confirmed compliance with treasury limits and prudential indicators. It had been prepared in accordance with the revised CIPFA Treasury Management Code and the revised Prudential Code and had been presented to the Cabinet on 22 July 2010 (minute 63 refers).

Resolved – That the report be noted.

52 DELIVERING EFFICIENCY AND MEASURING AND REPORTING VALUE FOR MONEY GAINS IN LOCAL SERVICES

The Director of Finance presented the Value for Money Gains National Indicator 179 (NI179) which had been submitted to the Department for Communities and Local Government (DCLG) having been approved by the Cabinet on 22 July 2010 (minute 66 refers). He provided an assessment of efficiency gains and commented that the cumulative total of cash releasing efficiency gains at 31 March 2010 was £26.9m against a target of £21.4m. He commented that this placed Wirral as the best performing in the North West and second best in the Audit Commission comparator group.

- (1) That the Value for Money Gains National Indicator 179 submission, and the good record of delivering efficiencies, be noted.
- (2) That a further report be presented on the 2010/2011 NI 179 estimate which will be due for submission in October 2010.

53 CUSTOMER SERVICE FOCUS GROUP

Further to minute 21 (8 July 2010), the Director of Finance reported upon the work undertaken by Customer Services to ensure service standards were maintained and reviewed at the One Stop Shops, the Call Centre, and on the Web. There were a number of methods to do this and the Director provided details on the use of a Customer Focus Group that had been set up by Mott McDonald, an independent market research agency in Liverpool, which included the former Merseyside Information Service. The Group was set up as a one off to assist Customer Services to balance the range of information received and the Director presented a detailed report upon the findings of the Focus Group. He provided a summary of the key outcomes and commented that with regard to the ease of contacting Wirral Council face to face, via telephone or via the web, opinion was generally positive. A number of approaches were suggested by participants to improve customer services and the Director proposed to present a report to a future meeting of the Cabinet with a revised Customer Access Strategy.

Resolved -

- (1) That the report be noted.
- (2) That should it be necessary to run the Focus Group again, it be undertaken via the Council's Marketing Department.

54 PUBLICATION OF EXPENDITURE - WORKLOAD IMPACT

Further to minute 25 (8 July 2010), the Director of Finance reported upon the increased demand on staffing resources as a consequence of implementing the proposal to publish monthly, all Council third party expenditure over £500, from the 1 April 2010, to demonstrate the Council's commitment to be open and transparent with residents.

He commented that a monthly report was published on the Council website which listed the total payments to suppliers, with a value over £500. It was reviewed to establish the reason for the expenditure and to ensure that no grant or personal data was shown. The publication of the data had resulted in over 190 online enquiries that had had to be explained and the Director commented that in order to respond to the complexity of enquiries it was necessary to contact officers within different departments. This had proved to be time consuming and he confirmed that no additional resource had been identified to cover the work which, at present, was being undertaken between the Procurement Manager and an Administrative Officer, in addition to their existing duties. The consequences of this were that other elements of work, such as consolidating and letting contracts, were being delayed.

The Director outlined improvements that were being made in relation to the quality and relevancy of data that was made available on the Council's website and he was also looking at improvements to the usability of information by others. It was hoped that the improvements would reduce the need for contact with the Council and consequently reduce the additional workload. However, he referred to evidence from the Royal Borough of Windsor and Maidenhead Council, which suggested that such improvements in data quality would have little effect on the number of enquiries received.

- (1) That the report be noted.
- (2) That this Committee welcomes the presentation of expenditure data, in the interests of local transparency.

(3) That a further report be presented to the Committee in January 2011 to assess whether measures of providing improved information have reduced the staffing impact of the publication of expenditure.

55 AUDIT COMMISSION REPORT - MANAGING ATTENDANCE

The Head of Human Resources and Organisational Development presented the Audit Commission report Managing Attendance, which had been undertaken to support the Council in its work to strengthen organisational arrangements for managing attendance, which would in turn link to the Council's broader objectives of improving the quality of services and securing value for money. The report indicated that preventing people from falling ill at work and getting them back sooner, as well as discouraging abuse of absence, was a key component of public sector cost efficiency and change agendas. However, effective management of sickness absence was not just about reducing costs. Staff sickness also resulted in `lost time' which could have a particularly negative impact on the quality of frontline services. Employers also had legal duties to protect their staff from work-related stress and illness. It noted that Wirral had struggled to meet its sickness absence targets in the past although the situation was now starting to improve.

The Head of Human Resources and Organisational Development indicated that the Council was working to strengthen its arrangements across the organisation for managing attendance to help achieve further improvements and she commented that at its meeting held on 17 June 2010 (minute 8 refers) the Employment and Appointments Committee agreed to a series of actions to improve the Council's approach to attendance management. Work had also continued on a revised Absence Management Policy which had been produced and on which consultation with the Trade Unions was currently being undertaken. The final proposed improvements to it would be presented to the next meeting of the Employment and Appointments Committee.

Resolved -

- (1) That the Committee welcomes the detailed findings and conclusions set out in the Audit Commission report and recognises that they are being acted upon, particularly in relation to guidance for managers being implemented.
- (2) That the recommendations and action plan be noted.

56 **FORWARD PLAN**

The Director of Law, HR and Asset Management reported that the Forward Plan for the period October 2010 – January 2011 had now been published on the Council's intranet/website. Members had been invited to review the Plan prior to the meeting in order for the Council Excellence Overview and Scrutiny Committee to consider, having regard to the work programme, whether scrutiny should take place of any items contained within the Plan and, if so, how it could be done within relevant timescales and resources.

Resolved – That the report be noted.

57 REVIEW OF SCRUTINY WORK PROGRAMME

The Chair provided an update on the current status of the Committee's Work Programme and commented that among the functions of the Committee was to scrutinise the work of the Community and Customer Engagement, Corporate Resources and Finance and Best Value portfolio holders. He invited suggestions

from Members for additions to the work programme, having regard to how scrutiny could be undertaken within relevant timescales and resources.

Resolved – That the work programme be noted and the following items be added to it –

- 28 October 2010 (Special Meeting)
 - Update to the Strategic Change Programme (see minute 43 ante)
 [Director of Technical Services]
- 18 November 2010
 - Measures to reduce the numbers of payments by cheque [Director of Finance]
 - The issue and use of mobile phones [Director of Finance]
 - Payments of allowances to staff in addition to salary [Director of Law, HR and Asset Management]
 - Office Rationalisation Update
 [Director of Law, HR and Asset Management]
- 31 January 2011
 - Total Place Update [Interim Director of Corporate Services]

58 ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR (PART 1) - CONSULTATION TASK FORCES

The Chair confirmed that he had approved this matter being raised as an item of urgent business. Councillor P Davies referred to the various Consultation Task Forces, which had been set up to assist the Council in formulating a consultation document with a view to achieving budgetary savings. He suggested that the Council's normal structures appeared to have been bypassed through the appointment of Independent Task Forces, which then acted outside the normal range of Council meetings and procedures. He expressed particular concern that —

- The Task Forces were presented with budgetary information on the services they were considering, without those papers being presented either to the Cabinet or to this Committee, where the information could have been questioned.
- No information had been given on the appointment of the members of the Task Forces and the way in which they were selected.
- It was unclear whether or not there was a register of interests of those individuals sitting on the Task Forces, or whether there was any procedure for a declaration of interest on any items discussed.
- The consultation procedure, including the way in which Task Forces would be used, was announced in a pres release, and not through the Cabinet, where it could have been called in to this Committee for further examination.
- The questionnaire for public consultation that was drawn up following the initial Task Force meetings was not taken to Cabinet as a draft, which would have allowed it to be questioned or called in to this Committee for further examination.
- The questionnaire itself is fundamentally flawed, for example, in failing to provide any comparative costings, in failing to provide complete lists of alternatives, including the provision of services by the Council, and in failing to make it clear to the public whether questions about the provision of alternative services from the voluntary sector refers to the Council commissioning services

- or actually stopping services and hoping the voluntary sector will fill the gap without any extra resources.
- The way in which the subsequent public consultation would be carried out was again announced in a press release, stating the timetable of events, and was not subject to question or scrutiny either from Cabinet or this Committee, which is specifically charged with scrutinising both community engagement issues and issues around public relations.
- It has been made clear that this process, which has not been open to democratic scrutiny, will actually be used to inform Wirral's budget setting.

A member commented that the Task Forces were open to the public and any Councillor could have attended had they wished to do so. In addition, there remained an opportunity to call in any decision of the Cabinet in relation to budgetary savings arising from public consultation. Other Members indicated that they had not seen any public notices as to when or where the Task Forces were to have been held and expressed the view that notice of them should have been given to all Members of the Council.

It was moved by Councillor P Gilchrist and seconded by Councillor P Davies -

"That the matters identified by Councillor Davies in relation to the Task Forces be considered at the special meeting of the Committee to be held on 28 October 2010 and that the officers be requested to provide such information to that meeting as they are able to, both in relation to the process followed in the selection and appointment of Task Force members, and the budgetary implications of the questions contained within the public questionnaire."

It was moved as an amendment by Councillor J Keeley and seconded by Councillor D McCubbin –

"That the information requested be presented to the Committee as part of a full debrief in December/January, once the outcome of the consultation process is known."

The amendment was put and lost (4:6) The Motion was put and carried (6:4)

Resolved (6:4) – That the matters identified by Councillor Davies in relation to the Task Forces be considered at the special meeting of the Committee to be held on 28 October 2010 and that the officers be requested to provide such information to that meeting as they are able to, both in relation to the process followed in the selection and appointment of Task Force members, and the budgetary implications of the questions contained within the public questionnaire.

59 EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC

Resolved – That in accordance with section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part 1 of Schedule 12A to that Act. The public interest test has been applied and favours exclusion.

60 SCHOOLS RISK MANAGEMENT

The Director of Finance reported upon the purpose of schools risk ranking, which was a means for improving the management of insurable risk within schools, the being that by improving the standards of risk management, all schools would benefit through reductions in insurance premia and decrease hidden costs such as

disruption to school life and damage to morale. He proposed an extension to the current programme and confirmed the outcome of a recent request for quotations.

Resolved – That the extension of the risk ranking exercise to all schools and the acceptance of the lowest tender, that submitted by Zurich Municipal, be noted.

61 **CATERING TENDERS**

The Director of Finance reported upon the procurement process that was undertaken for the supply of cold buffet food. He commented that 18 tenders were evaluated and the process determined that a multiple supplier framework of the top six suppliers would provide the overall best value, choice and capacity to the Authority.

He commented that the six successful tenderers were reminded that, in light of the economic climate, the Council was under no obligation to purchase and, accordingly, they should not rely on the levels of spend estimated in the tender documents. Details of the six successful tenderers had been placed on the e-procurement ordering system and user departments had been advised to approach the suppliers in the priority order 1-6 to ensure best value.

Resolved -

That the decision to award the contract for the Supply of Cold Food to the following six suppliers, commencing 1 August 2010, be noted –

- 1. Alleycats
- 2. Lunch & Judy
- 3. Working Lunch
- 4. Forever Green
- 5. B.E.S.T. (Beaconsfield)
- 6. Franklin's Deli