

**MINUTES OF A MEETING OF THE SUSTAINABLE GROWTH AND ENVIRONMENT
CAPITAL SCRUTINY COMMITTEE
HELD IN THE BOUGES/VIERSEN ROOMS, TOWN HALL
ON 18 MARCH 2013**

Present: Councillors M Todd (Chairman), G Casey (Vice Chairman),
M Nadeem, Y Maqbool, JA Fox, N Thulbourn

Also Present: Cllr Sandford, Group Leader, Liberal Democrats
Cllr Elsey, Cabinet Advisor
James Collingridge, Enterprise Partnership Manager
Richard Oldfield, Enterprise Partnership Director

Officers Present: Simon Machen, Head of Planning, Transport and Engineering
Services
Mike Kealey, Interim Head of Human Resources
Mike George, HR Analyst
Mark Sandhu, Head of Customer Services
Belinda Evans, Complaints Manager
Ricky Fuller, Head of Strategic Client Services
Osman Hamir, Lawyer
Paulina Ford, Senior Governance Officer

1. Apologies for Absence

Apologies were received from Councillor Martin.

2. Declarations of Interest and Whipping Declarations

There were no declarations of interest or whipping declarations.

3. Minutes of Meetings held on:

- 2 November 2012
- 8 November 2012
- 19 November 2012
- 6 February 2013

The minutes of the meetings held on 2nd, 8th, and 19th November were approved as an accurate record. The minutes of the meeting held on 6th February 2013 were also approved as an accurate record.

4. Call in of any Cabinet, Cabinet Member or Key Officer Decisions

There were no requests for call-in to consider.

5. Annual Human Resources Monitoring Report

The report provided the Committee with an update on staffing and workforce matters since reporting to the Sustainable Growth Scrutiny Committee on 10 January 2012. The report informed Members of turnover, absence, appraisals and training activity, employee relations cases and workforce diversity. Highlights included:

- Headcount and FTE had been fairly even since March 2012.
- Significant changes had included the transfer of support services to Serco and the TUPE in of Adult Social Care staff from NHS.
- Restructuring within services had continued in order to meet budget requirements and business needs.
- Voluntary turnover was currently running at 7.6%, up slightly on the previous 12 months, which was below the average benchmark for large authorities.
- The average number of days employees were off sick was 7.21 but there had been a step change in March 2012 to 10.53 when Adult Social Care transferred in. Improvement in rates has been achieved since the transfer.
- New monitoring tools had been introduced to monitor absence.
- In the 12 months to 30th November, 702 staff had no absence at all.
- Emphasis has continued on embedding the Personal Development and Review process, and rates of completion during 12/13 are at 96%. This includes Adult Social Care, who have been newly incorporated into the scheme.
- 60% off staff had been rated as a 3 in their PDR.
- Rates of Disciplinary and Grievance Cases had decreased, one reason being that transfers out of the organisation have included areas in which there tended to be a higher number of formal actions.
- HR continued to monitor the equality impact of HR decisions, policies and procedures through Equality Impact Assessments when policies were reviewed \ revised, and through workforce monitoring. A proposal had been made for approval to expand monitoring to the other protected characteristics under the 2010 Equality Act in order to have expanded workforce data to inform future Impact Assessment.

Questions and observations were made around the following areas:

- Members were concerned about the consistency of scoring within the PDR process. *Members were advised that HR monitored the scores across each Directorate and would note if a significant number of people were being scored significantly higher or lower than a three in a particular area of the organisation. The Corporate Management Team also reviewed the scoring data and the training and development Manager also audited a selection of PDR's to ensure consistency.*
- Members sought clarification on whether the scoring of the PDR's would be reflected in performance related pay. *Members were informed that the PDR process had been focused on performance and was not currently linked to pay.*
- Members sought clarification on the budget proposal to not pay sick pay for the first three days of sickness. Had this suggestion come from an HR issue or as a budget saving. *Members were advised that it had come from a need to save money. The proposal had changed from applying to all absences to only those people who had high frequency casual absences.*
- Members wanted to know what other authorities had implemented the proposed no pay for the first three days of sickness. *Members were informed that Hertfordshire had introduced a no pay for the first two days of sickness across the workforce.*
- Members wanted to know how people with long term medical conditions would be treated under the new proposals. *Members were advised that the two key definition categories to be used would be 'an underlying medical condition' or 'a series of short term unrelated medical conditions'. If there was an underlying medical condition the person would not be subject to the first three days of sickness not being paid.*
- Members were concerned that the report had stated that 3219 FTE days had been lost over 12 months to November 2012 to stress, depression, anxiety and fatigue. What was being done to address this situation? *Members were advised that the profile of the workforce had changed and the two areas that generated the most absence for stress, depression, anxiety and fatigue were Adult Social Care and Children's Services. An employee assistance programme had been introduced into Children's Services which provided employee support such as counselling. A low cost health service support was also being considered.*

- Members sought clarification regarding the absence category named 'Other'. Members had noted that the report stated that 2081 FTE days had been lost to this category. *Members were informed that the scheme used to categorise sickness was used by all Local Authorities to enable bench marking between authorities. The category 'Other' covered a list of medical conditions that did not fall into the other named categories.*
- Members had noted that the report had stated that there had been some changes in the workforce profile, for example a reduced ethnic minority representation. Members sought clarification as to why this had happened. *Members were advised that the council was in a period of low recruitment due to budget restrictions which limited the opportunity for recruitment policies to improve diversity trends. A considerable numerical affect on the workforce profile was a mixture of TUPE of staff in and out of the organisation [Serco, Adult Social Care] in recent periods, which meant the Council had a new base line to work from. The reduced representation did not really reflect either failures in implementing fair processes, or excessive leavers from ethnic minorities.*
- Members requested that the Interim Head of Human Resources look into further detail as to why the diversity of staff employed at the council had dropped and what could be done to change this.
- Members felt that not enough was being done to recruit people from the Ethnic Minorities or with disabilities.
- Members wanted to know what was being done to encourage employees to aspire to achieve above average. What was being done to inspire people to achieve? *Members were advised that over the last few years there had been large scale restructures within the council and the focus had been on managing this change. Going forward work would be done on developing a leadership culture and identifying core values and developing staff.*
- Members wanted to see more benchmarking data within the report to compare Peterborough to other authorities. *Members were advised that this had been included in the report but would be made clearer in the future.*
- Members wanted to know why there was an Interim Head of Resources and a Head of Resources. *Members were informed that Lynn Neely, Head of Resources was employed on a full time basis and ran the HR team. Mike Kealey, Interim Head of Human Resources informed members that his role was more of an advisory role and was not employed on a full time basis.*
- What Equality Impact Assessment had been done with regard to the proposal to implement no pay for the first three days of sickness? *Members were advised that an Equality Impact Assessment had not been conducted yet as talks with the Trade Unions were still ongoing. An Equality Impact Assessment would be undertaken when a decision had been made on the policy.*
- Members were concerned at the number of days lost (2,899 FTE) through absence due to Musculo-skeletal including back and neck illness. What support was being given to these people to help them back to work? *Members were advised that robust risk assessments were in place to reduce the risk of occurrence at work of such conditions. A new Health Scheme was also being considered that would help people get back to work faster.*
- Did the council provide counselling services for people with stress, depression and anxiety? *Members were advised that independent counselling support was provided and in particular to staff within Children's services as social workers were more likely to suffer from stress and depression due to the nature of their job.*

ACTIONS AGREED

The Committee requested that the Interim Head of Human Resources:

1. Look into why the diversity of staff employed particularly Ethnic Minorities and people with disabilities at the council had dropped and what could be done to change this and report back to the Committee.

2. Provide a further progress report in six months time to the Committee.
3. Provide a copy of the Equality Impact Assessment regarding the new 'no pay for the first three days of sickness' policy should it be implemented.

6. Corporate Complaints Annual Monitoring Report 2011/2012

The report provided the Committee with a summary of formal corporate complaints monitored between 1 April 2011 and 31 March 2012 which came under the Corporate Complaints Policy. The report also informed Members of a proposed change to the current Corporate Complaints process from three stages to two stages. Members were advised that compliments about council services continued to exceed complaints and had shown an increase on the previous year. The Annual Local Government Ombudsmen report had also been included in the report.

Questions and observations were made around the following areas:

- Members sought clarification as to why there was a high number of Stage 1 complaints (108) logged for 2011/12 for shared transactional services under Strategic Resources and in particular for delayed/failed service (63). *Members were informed that the shared transactional services department included the old revenue and benefits department, and the payments processing team including payroll. The revenues and benefits department had always received a high number of complaints. The delayed/failed service remained the most common category of complaint with 49% of the total number of stage 1 complaints. It should be noted that the number of housing benefit cases being dealt with within the city were 1800 and it was therefore inevitable that there might be delays in receipt of benefit but 63 was still too high and was being worked on to reduce this number.*
- Members were pleased to see that compliments had now been included in the report.
- Members complimented the Head of Customer Services for his professional and excellent service.
- If a complaint is still not resolved at stage 3 does the complainant have any further course of action that can be taken? *Members were advised that if the complainant was still not happy with the outcome at stage 3 they would be informed of their right to go to the Local Government Ombudsman.*
- At a meeting of the Sustainable Growth Scrutiny Committee on 6 March 2012 Members had sought clarification as to what happened to complaints that had been made directly to Councillors. Were they logged as a complaint in the normal way through the corporate complaints database? There was a concern that they were not logged. It was therefore recommended that the Head of Customer Services pilot over a period of time with members of the Committee if the complaints they received had already been logged with the Central Complaints Department. Councillor Maqbool had volunteered to conduct the pilot for her ward but there had not been many complaints in her ward so this had not proved to be a successful pilot. The Chair therefore agreed that another Councillor from the Committee should step forward to conduct the pilot. The Chair asked for nominations to be sent to the Senior Governance Officer.
- Members sought clarification around the proposed removal of the stage 3 process. *Members were informed that the rationale behind reducing the stages to two was timescales and the necessity of a third stage. The timescale for dealing with complaints was 12 weeks but the Local Government Ombudsman was not prescriptive as to how many stages there should be. In an effort to reduce the timescale that a complaint took to be investigated it was proposed to reduce the stages to two. This would allow the complainant to go to the Ombudsman at an earlier time. The majority of the stage 3 cases did not add anything to the stage 2 process.*
- Members requested that when dealing with planning complaints it should be made very clear to the complainant what process would be followed. *The Head of Planning, Transport and Engineering Services agreed that it would be made clearer at stage 1 of a planning complaint what process would be followed for the type of complaint registered.*

- Members noted that the Enterprise Complaints procedure appeared to be very different to that of the council procedure and only showed a one stage process. *Members were advised that it was a three stage process covering fifteen working days in total.*

ACTIONS AGREED

1. The Committee noted the report and endorsed the proposed change from a Stage 3 process to a Stage 2 process to the Corporate Complaints process.
2. The Head of Customer Services to report back to the Committee in one year's time.
3. Committee members wishing to take part in the pilot monitoring complaints received by councillors to register their nomination with the Senior Governance Officer.
4. The Head of Customer Services to proceed with the pilot of monitoring complaints received by councillor's once the new Councillor nomination has been received.
5. The Head of Planning, Transport and Engineering Services to ensure that all planning complaints are given a clear direction at stage 1 which complaints process will be followed for the type of complaint.

7. Enterprise Peterborough Partnership Performance Report

Councillor Eley, Cabinet Advisor introduced the report which provided the Committee with an update on progress of delivery of services on the Council's behalf for the following areas of business:

- refuse and recycling collection
- street cleansing and grounds maintenance ("Street Care")
- facilities management
- property design
- building maintenance
- hospitality and school catering
- building cleaning
- public and home to school transport
- travellers' site management
- courier services
- Council's fleet maintenance;
- Hackney carriage and private hire licence testing;
- Interface management; and
- parks, trees and open spaces.

Members were informed of the following:

- Enterprise was measured against more than 100 Key Performance Indicators (KPI's) on a monthly basis and had performed better on the majority of KPI's than their predecessor City Services.
- Last summer had been the wettest and worst summer for some time which had caused a major challenge for grass cutting. Enterprise responded with a new fleet of vehicles and increased their workforce by 25% at no cost to the Council.
- Enterprise had turned a corner and was now tackling long standing issues.
- The new food waste collection service had been successfully mobilised over a five week period and to date the service had collected in excess of 1,000 tonnes of food waste.
- On the 21 February 2013 it was announced that Ferrovial Services, the parent company of UK public services provider Amey, had signed an agreement to acquire Enterprise plc.
- A new communications manager had been put in place who would be tasked with promoting the good news stories.
- The council had moved from a people based service to an intelligence led service and relied on good intelligence and good mapping data which was now available to monitor services more effectively.

The Enterprise Partnership Director gave Members an overview of the new cleaning regime that had been implemented across the city. The city had now been divided into high intensity,

medium intensity and low intensity areas for cleansing. High intensity areas would be cleaned daily and low intensity would be cleaned 3 times a week. The city had been divided into five areas and each area had a work gang which was expected to clean to a Grade A specification. Additional supervisors had been employed with Samsung smart phones with an app for quality checking. Five checks would be completed per day and the data collected would be sent to the Enterprise Partnership Manager who would collate the data to see if objectives were being achieved.

Questions and observations were made around the following areas:

- Will the tree survey programme be offered to all ward councillors? *Members were advised that a schedule of tree surveys had been produced for the next three years. At the beginning of work in each ward area a notification would be sent out to ward councillors to advise them that a tree survey was about to be started. Ward councillors would have the opportunity to meet with officers from Enterprise if they wished to and some councillors had already taken advantage of this. The tree survey was about the health and safety of the tree and people it may affect and the objective was to ensure a long term healthy tree stock.*
- Were there any parts of the city and surrounding villages that had not been provided with the food waste bins apart from those already mentioned in the report? *Members were informed that a food caddy had been provided to everyone across the city including the villages apart from flats and schools. Rolling out the new service had meant a significant change for staff which had taken four months to embed.*
- Members were concerned about the retendering of certain bus routes especially 406, 410 and 411.
- Members sought clarification with regard to the performance of passenger transport. The report had shown a total number of 18 KPI's with 9 fails. *Members were advised that under the 18 KPI's there were 127,669 measurable activities and out of those there were 9 failures of which Enterprise were penalised for not having delivered them. It was therefore in the interest of Enterprise to ensure that all activities were delivered.*
- Why is the removal of chewing gum from the City Centre not included in the contract between PCC and Enterprise? *Members were informed that the paving chosen for the cathedral square was too soft to be cleaned by the normal method. Enterprise and PCC were working together to find a solution to the problem and had looked at alternative methods of cleansing.*
- Members sought clarification with regard to the recent acquisition of Enterprise by Ferrovial Services and wanted to know if this would impact on the service being delivered. *Members were informed that it was an acquisition of a business and was currently subject to European regulatory approval which was expected to be completed in early April. Members were assured that the obligations of the business would remain the same post acquisition.*
- Members commented that when Enterprise took over the service from City Services they had stated that there would be a high quality service at less cost. There had been a £3M savings under the initial two year contract. The recent budget however had identified an increase in budget to three areas (trees, public transport, street cleansing) which amounted to £1.6M. Members were concerned that if this were to continue this would mean paying more money for the same service. *Members were advised that it was normal practice when entering into a new contract to offer a subsidised service initially and Enterprise had taken the burden of this in the initial two year contract. The subsidy could not last forever and the contract when renewed would go onto a more commercial footing.*
- Under the budget proposals for last year Enterprise were asked to make £100K of additional savings and in particular with grass cutting. These savings were not made. The budget for cutting grass was £800K per annum. Why were no savings being made on cutting grass? *Members were informed that the savings had not been forgotten but the weather last year had not allowed those savings to be made. Grass cutting was a priority and had to be cut.*

- Members were pleased to hear that Service Level Agreements (SLA) were now in place for some services and wanted to know if this would continue across all service areas under Enterprise. *Members were advised that every service that Enterprise delivered would be covered by a Service Level Agreement. The KPI's within the SLA were currently being looked at and defined. Ways of clearly communicating the SLA's to staff and Councillors were also being looked at.*
- Members requested that the KPI's be brought to the Committee when they had been rewritten.
- The report mentioned that Enterprise had been developing a new and comprehensive Green Open Spaces Strategy. Members wanted to know when this would be ready. *Members were advised that it had been incorrectly described in the report and that it was not a new strategy but an implementation plan for the existing Green Open Spaces strategy and plans.*

ACTIONS AGREED

The Committee requested that Enterprise provide a further progress report in three months time and to include:

- the revised KPI's if ready
- the implementation plan for the Green Open Space Strategy

8. Notice of Intention to take Key Decisions

The Committee received the latest version of the Council's Notice of Intention to take key Decisions, containing key decisions that the Leader of the Council anticipated the Cabinet or individual Cabinet Members would make during the course of the following month. Members were invited to comment and, where appropriate, identify any relevant areas for inclusion in the Committee's work programme.

ACTION AGREED

The Committee noted the latest version of the Council's Notice of Intention to take key Decisions and requested further information on:

- Award of Contract for the 413 Bus Service – KEY/27DEC12/01
- Moy's End Stand Demolition and Reconstruction – KEY/03APR/12

10. Date of Next Meeting

Wednesday 20 March 2013

The meeting began at 7.00pm and ended at 09.55pm

CHAIRMAN

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