

**MINUTES OF A MEETING OF THE SCRUTINY COMMITTEE HELD ON
MONDAY 29 SEPTEMBER 2008 AT THE TOWN HALL, PETERBOROUGH**

Present: Councillors Holdich (Chairman), C Day, Lane, Lowndes, North, Sandford, Todd and Walsh

Also Present: Maggie Kirkbride, Parent Governor Representative

Officers Present: Richard Astle, Director, Greater Peterborough Partnership
Sue Bennett, Financial Planning & Business Manager
John Blair, Head of Strategic Finance
Helen Edwards, Solicitor to the Council
Pippa Gardner, LAA Manager, Greater Peterborough Partnership
Mike George, Senior HR Consultant - HR Analyst
Liz Lacey, HR Manager - Organisational Development
Ruth Lea, Lawyer – Legal Representative
Jacquie McGeachie, Acting Head of Human Resources
Jo Proud, Strategic Improvement Manager
Ben Ticehurst, Deputy Chief Executive
Louise Tyers, Performance Scrutiny Manager
Alex Daynes, Cabinet Officer

1. Apologies for Absence

Apologies were received from Councillors Goodwin, Seaton and Fazal.

2. Declaration of Interests and Whipping Declarations

There were no declarations of interest or whipping declarations.

3. Minutes of the Meeting held on 23 June 2008

The minutes of the meeting held on 23 June 2008 were approved as a correct record.

4. Consideration of the Cabinet Agendas for 7 July and 15 September 2008 and Call-In of any Cabinet, Cabinet Member or Officer Key Decisions

There were no call-in requests.

Councillor Sandford brought to the attention of the Committee the appointment process for appointments to the Greater Peterborough Partnership boards. Members were informed that the appointments to non-executive positions had all been allocated to Conservative Members and therefore was not representative of the Council. Councillor Sandford advised members that the issue had been raised earlier in the year at both Group Representatives meeting and also at Council and that the constitution required agreement between political groups before appointments were confirmed. Therefore, if the appointment process had not been followed properly, the validity of those appointed was in doubt. The Cabinet Officer advised that a Cabinet Member Decision Notice was being written to address this issue.

ACTION AGREED:

To express the Committee's concerns that the Constitution appears not to have been complied with in this case and that councillors were acting on behalf of the Council when they had not been properly appointed.

5. Medium Term Financial Plan 2009/10 to 2011/12

The Committee received a report from the Head of Strategic Finance on the current financial performance for revenue and capital as at 31 July 2008 and the performance information on treasury management activities, the payment of creditors in services and collection performance for debtors, local taxation and benefit overpayments. Input from members of the committee was sought before the final submission of the report in early 2009.

Councillor Sandford requested that earlier and greater involvement with members was desirable especially considering the current global financial situation. The Head of Strategic Finance recommended that training sessions were held to increase Members' understanding of the financial issues within the budget information. Members of the committee requested that input to the plan would be desirable too, not just greater understanding of the process.

Observations and questions were raised and responses given including:

- Regarding spending plans and the sale of sites and generation of capital affected by the credit crunch, work was still ongoing to investigate the impact of this on available capital.
- A 1.4% council tax rise is an achievable level to continue to provide services. Business Transformation has already identified up to £10million savings for this year.

Councillor Sandford raised a concern that the 1.4% Council Tax rise would not always be feasible as efficiency savings were limited.

ACTION AGREED:

1. To establish a training session/workshop to address training and feedback issues arising from the Financial Plan.
2. To receive and note the report.

6. Local Area Agreement

The Committee received a presentation and report from the Director of the Greater Peterborough Partnership (GPP) to provide members with a six month progress update on the management of the Local Area Agreement (LAA) 2008/11 and to provide an opportunity for comment.

Members were advised that quarterly feedback would provide information on the four key priorities and the sixteen outcomes of the Community Strategy; information could now be compared to other partners due to improved reporting mechanisms. An update on the development of a Solution Centre was also included in the presentation and this would be further developed over the next few months. The Director of the GPP further advised the Committee of key dates for the LAA delivery action plan sign off: 15 October to the GPP Executive and 23 October to the regional partners.

Observations and questions were raised and responses given including:

- monthly performance reports are available for the Council's performance in achieving the 35 performance indicators however, quarterly reports would better show the progression and trends in achieving these.
- Monthly meetings with Group Leaders could be established to provide a greater level of communication with all groups in the council. More communication channels were advocated to ensure best practise.
- To determine the phrasing of the city's work towards Environment Capital status, a discussion would need to be held with the Chairman of the Environment Capital board to determine if Peterborough was 'aspiring', 'creating', or 'achieving' etc, the Environment Capital.
- Efforts to reduce the level of teenage pregnancy were taking place and the approach being taken was to improve the coordination of community and voluntary groups working in this area in order to provide a focused response to the issue. Work to improve social conditions was also underway to tackle this problem.

ACTION AGREED:

To receive and note the report.

7. Criminal Records Bureau (CRB) Checks for Elected Members

The Committee received a report from the Solicitor to the Council for members to consider and make recommendations in respect of proposals for a draft policy relating to Criminal Records Bureau (CRB) Checks for elected members. The Committee was advised that there was currently no formal policy for Members to undergo a CRB check however, one approach for Members could be to adopt aspects of the policy currently in place for Officers. Members were advised that the draft proposals would be presented to the Standards Committee and then could come back to this committee for further scrutiny.

Observations and questions were raised and responses given including:

- Risk assessments for the various Councillor posts would be conducted at the end of the 2008/2009 municipal year giving plenty of time for appointments to be made for the 2009/10 municipal year.
- We would work with Human Resources and the CRB to determine the risk involved with the various roles undertaken. The criteria is not yet set.
- There would not be a CRB check for every Councillor as this would not be necessary or permitted under the Police Act.
- The checks would also apply to work that involved debating issues relating to children and vulnerable people or people at risk, not just for time spent with these groups.
- Members would not be forced to undergo a CRB check.
- Existing CRB checks from other organisations e.g. a school, cannot be transferred to the Council. A separate CRB check would be required.
- Checks would only be carried out for positions deemed to have a risk for children or vulnerable adults, not financial risks.

ACTION AGREED

- 1) To note the draft report.
- 2) To agree with the introduction of CRB checks for Councillors in Line with the report.

8. Improving Local Accountability Consultation

The Committee received a report from the Performance Scrutiny Manager to consider a consultation document which had been issued by the Department of Communities and Local Government (DCLG) on improving local accountability. Members were asked to consider and comment on the consultation document issued by the Department of Communities and Local Government.

Councillor Lane advised that his only concern was with Consultation Question 10 of the report, *“Do you agree with our proposals to require the local authority with its strategic partners to agree a local scheme for petitions to hold officers to account? What practical issues might arise?”*, as only Officers with delegated responsibilities should be held to account instead of all Officers. The Performance Scrutiny Manager advised the Committee that Question 10 did only relate to senior Officers.

Councillor Sandford advised the Committee that the Council already had the authority to carry out many of the tasks proposed in the document and this existing authority should be identified in relation to the document’s proposals. It was further recommended that more involvement with the public was sought concerning decisions made and call in procedures. The proposals within the consultation document should be considered during the review of scrutiny arrangements early in 2009.

ACTION AGREED

To note the report.

9. Human Resources Key Performance Indicators

The Committee received a report from the Acting Head of Human Resources (HR) to provide performance information relating to workforce indicators and summary updates on key HR initiatives and projects. The Committee was advised that all the management information from HR was now available to see in one place. Cllr Holdich requested that the format of the report be altered for future feedback to provide a simpler reading format for the Committee.

The Committee discussed the data in the report with members of the HR representatives. Observations and questions were raised and responses given including:

- Changes have been made to address the number of staff on long term sick leave including the appointment of AXA to provide the occupational health function for staff.
- The percentage of staff on sick leave due to stress related illness was misleading as smaller departments with staff on sick leave pushes up the overall percentage. Actual numbers of staff on sick leave due to stress related illnesses can be provided.
- There is no data to show if the stress contributing to illness was emanating from work or domestic situations. More emphasis was being put on managers to address issues with staff before sick leave is required.
- There is data available to show the most common days taken for uncertified leave that is not followed up i.e. one or two days at a time. This can be detailed to individuals and days that they have taken as sick leave.
- The AXA Employee Assistance Programme was being considered to be incorporated in the future.
- There is currently no data available to show whether increased levels of stress related sick leave were seen in areas following Business Transformation programmes. This should be considered in the future.

- Staff numbers were only reduced if the same productivity would be achieved with fewer staff and more efficient methods of working.
- No data is currently available to link sick days to career progression. The establishment of a Learning Academy will assist in the developing of skills for staff.
- Unions do have an obligation to respond to disciplinary cases. Progress will be seen over the next six months as the longer more complex cases are resolved. A new disciplinary policy is currently under consultation with senior managers and Trade Unions and due to be implemented in 2009.
- More work needed to be done to address the numbers of people with disabilities employed by the council and the jobs available to them.

ACTION AGREED

- 1) To receive and note the report.
- 2) To receive simpler reports in the future.
- 3) To receive information on the number of people on sick leave with stress related illnesses.

10. Budget Monitoring 2008/09

The Committee received a report from the Head of Strategic Finance on the current financial performance for revenue and capital as at 31 July 2008 and the performance information on treasury management activities, the payment of creditors in services and collection performance for debtors, local taxation and benefit overpayments. The Committee was advised that an under-spend of around £930,000 was projected for this year.

Observations and questions were raised and responses given including:

- Funding received from central government for bus travel initiatives looks to be insufficient and this trend has been seen across the country. More funding will need to be bid for.
- A full analysis of Environment and Community services to project spending to the year end was needed to ensure sufficient grants for national policies would be received.

Councillor Sandford advised the Committee that a report was being written to provide information concerning the concessionary bus fare scheme to be presented to the Environment Scrutiny Panel.

ACTION AGREED

To note the report.

11. Performance Monitoring 2008/09 – Quarter 1

The Committee received a report from the Strategic Improvement Manager on the performance of the council between 1 April 2008 and 30 June 2008 against the three key areas stated below:

- Corporate Plan
- Local Area Agreement (LAA)
- Comprehensive Area Assessment (CAA) - to be adopted from April 2009.

The Committee was advised that work was ahead of schedule for the April 2009 start for the CAA and, as new indicators were being used, there was little data to provide comparisons and trends.

Following a query from Councillor Sandford regarding waste collections, the Deputy Chief Executive advised the Committee that the amount of waste collected from households seemed high due to the large quantity of recyclable materials collected compared to other authorities. The Strategic Improvement Manager added that the organic waste being collected attributed to these figures but there was a trend showing other authorities now increasing their kg/head population as they also started collecting organic waste from households. The National Indicators would now be showing Peterborough as one of the best performing authorities as the monitoring method eliminated the perverse impression that was being reflected through the old best value performance indicators for waste.

The Deputy Chief Executive advised the Committee that Peterborough's waste and recycling targets were not affected by city based contractors taking on waste from other authorities. This actually provided extra revenue for the Council.

ACTION AGREED

To note the report.

12. Outstanding Scrutiny Reviews

The Committee received a report from the Performance Scrutiny Manager on whether to continue with the outstanding reviews which have been established by the Committee in previous years. The report contained a list of reviews and the date that they were agreed by the Scrutiny Committee along with the Member responsible. Members discussed the reviews and requested that a time limit be established for progress and updates.

The legal representative advised the Committee that the definition of exempt information was included in the constitution along with public information obligations. The Performance Scrutiny Manager advised that the Exempt Information review was not progressed as no volunteers were forthcoming to form a review group. Councillor Sandford proposed to review current and future Decisions that contained exempt information to ensure appropriate information was provided.

Members discussed the communication standards that existed between officers and Councillors. Members were not always satisfied with the service that they received and found that the speed of responses to queries was erratic and unreliable. The Deputy Chief Executive advised the Committee that this issue had been included in management review proposals but also advised that Councillors should report instances where responses from Officers were not quick enough.

The Chairman recommended removing Communications with Members from the review list as the issue had already been picked up by Officers and requested that a working group be established to investigate ways to simplify the reports received by the Scrutiny Committee: Councillors Holdich, Walsh, Lane and the Head of Strategic Finance to form a working group to review the format of reports received by the Scrutiny Committee.

Councillor Sandford expressed concern that it appeared that a number of decisions and recommendations made by the Committee had not been taken forward. The Performance Scrutiny Manager would undertake a review of all decisions made over the last few years and report back on what had happened in progressing them.

ACTION AGREED

- 1) To form a working group to review the format and amend reports sent to the Scrutiny Committee.
- 2) To remove Communications with Members from the review list.

- 3) To review the decisions and recommendations made by the Committee and what had happened in progressing them.
- 4) To establish a time limit for the reviews to take place.

13. Feedback and Update Report

The Committee received a report from the Performance Scrutiny Manager to provide feedback on items considered or questions asked at previous meetings of Scrutiny Committee. The report also provided an update on matters which are of interest to the Committee or where the Committee have asked to be kept informed of progress.

The report contained information about scrutiny workshop sessions examining the Growth agenda for the city. Members who attended the workshops confirmed that the sessions were beneficial and useful to their understanding.

ACTION AGREED

To note the report.

14. Forward Plan of Key Decisions

The latest version of the Forward Plan, showing details of the key decisions that the Leader of the Council believed the Cabinet or individual Cabinet Members would be making over the next four months, was received.

The Chairman of the Committee commented that there was no item concerning the budget on the Forward Plan.

ACTION AGREED

- 1) To note the Forward Plan.
- 2) To have the Financial Plan inserted on the Forward Plan.

15. Agenda Plan 2008-09

Councillor Sandford requested that an item on the progress of the Committee's previous recommendations on the access arrangements to the Voyager School be included on the Agenda Plan for a future meeting.

ACTION AGREED

To note the Agenda Plan.

16. Date of Next Meeting

The date of the next meeting to be Monday 10 November 2008, 7pm.

The meeting began at 7pm and ended at 9.10pm.

CHAIRMAN

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