

SCRUTINY LEADERSHIP BOARD

Minutes of a meeting of the Scrutiny Leadership Board held on 24 September, 2009 at 4.00 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors D.R.W. White (Chairman), R. Aveley, J.A. Francis, A.A. Mackenzie, A.A. Meredith and K.L. Tomlinson

ALSO PRESENT: Councillor E.J. Carter (for Minute No. SLB-80), Councillor W.L. Tomlinson (co-optee – VFM Scrutiny Group), David Johnson (Head of Human Resources), Marie Whitefoot (Organisational Development Manager), Ken Clarke (Head of Finance & Audit), Phil Griffiths (Democratic Services Manager), Alex Urka (Performance & Strategy Manager – Safer Communities), Nigel Newman (Corporate Communications Manager) and Stephanie Jones (Scrutiny Officer)

SLB-76 APOLOGIES FOR ABSENCE

None.

SLB-77 DECLARATIONS OF INTEREST/PARTY WHIP

None.

SLB-78 SCRUTINY OF THE SAFER & STRONGER COMMUNITIES PARTNERSHIP

The report of the Head of Finance & Audit summarised the changes to be made to the Council's scrutiny arrangements as required by The Police & Justice Act 2006 and subsequent amendments and regulations. These required each local authority to have a Crime and Disorder Committee with the power to review, scrutinise, and to make reports and recommendations regarding the functioning of responsible authorities. The Home Office had produced guidance for local authorities and partners on implementing these requirements, and the report proposed ways in which this scrutiny could be carried out. As Members were aware, at the beginning of 2009 it had been agreed that the Scrutiny Leadership Board would be the designated body and its terms of reference had been amended accordingly.

The report set out the role that the Scrutiny Leadership Board would be expected to take in crime and disorder issues. With regard to Home Office Guidance, the Board had previously agreed, at its meeting on 23 June 2009, to co-opt a member of the Police Authority onto the Scrutiny Leadership Board when policing matters were being considered and it was noted that the West Mercia Police Authority had nominated Councillor Kuldip Singh Sahota to become a co-optee in this capacity.

Crime & Disorder Reduction Partnerships (CDRPs) were introduced by the Crime & Disorder Act 1998 to ensure that a number of prescribed "responsible authorities" worked together to develop and implement strategies to reduce

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crime, disorder, anti-social behaviour, substance misuse and behaviour adversely affecting the local environment. In addition, responsible authorities had a duty to work in co-operation with the “co-operating bodies”, as detailed in the report. The CDRP for Telford & Wrekin was known as the Safer & Stronger Communities Partnership with its main tasks as summarised in the report.

The Council had long established working arrangements and relationships with the CDRP and other partnerships within Telford & Wrekin and it was important that the new scrutiny powers were used to “add value” to the existing system rather than being seen as an unnecessary level of bureaucracy. The Board was, therefore, requested to agree in what manner the scrutiny of the Safer & Stronger Communities Partnership would be undertaken. As the Government believed that Section 17 of the Crime & Disorder Act should be the principle vehicle for mainstreaming community safety, scrutiny could ensure that crime and disorder considerations were built into the Council’s governance and decision making processes, policies, strategies, plans, budgets and delivery of key services. In conclusion, it was proposed that a meeting should be held of the Scrutiny Leadership Board and the Executive Board of the Safer & Stronger Communities Partnership to discuss and agree the agenda setting for future scrutiny of the CRDP.

The Performance & Strategy Manager for Safer Communities was invited to speak to the Board and highlighted a number of issues for Members to consider. He said that, while Telford was a low crime area as compared to other parts of the country, people’s perceptions did not always reflect this reality. External consultants had made recommendations on ways in which community safety could become a mainstream activity within the Council. One of the recommendations was that a paragraph should be added to all committee reports setting out the community safety implications, which would provide an audit trail of any decision made but this was not specifically supported.

Members welcomed the opportunity to scrutinise community safety issues and to work more closely with the Safer & Stronger Communities Partnership. The Scrutiny Manager reported that discussions had taken place with the Executive Board of the Partnership on where to focus scrutiny’s work in the first instance and how to take this work forward. Councillor K.L. Tomlinson suggested that she and the Chairman should discuss the possible format of scrutiny of the Safer & Stronger Communities Partnership and report back to the Board with their ideas and this was agreed.

RESOLVED:

- (a) that the legislative requirements on the Council to implement a process for scrutinising the local Safer & Stronger Communities Partnership be noted;**

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- (b) that the arrangements proposed in the report for carrying out scrutiny of the Safer & Stronger Communities Partnership be agreed.

SLB-79 EMPLOYEE SURVEY 2009

The Organisational Development Manager gave a presentation outlining the methodology and results of the 2009 Survey. She highlighted that all employees, excluding those in schools, had been surveyed and the response had been the highest yet following the introduction of an option for on-line access. The results of the Survey had proved to be statistically significant, covering a wide spectrum of employees.

Detailed work on the Survey was still being undertaken but the presentation set out the key results. With regard to the questions relating to 'Working for the Council', the results for 2009 were slightly down on the results for 2007 but not to a statistically significant extent and they remained well above the local government benchmark figures. Although a number of key areas showed a decrease over the 2007 results, the percentage of employees who were, overall, satisfied with their job was 77%, an increase of 2% over 2007. One area that had recorded a significant decrease since 2007 was that of communication across the Council and overall satisfaction with the career development opportunities available had consistently remained below the local government bench mark figure.

Feedback from the 2007 Survey had shown that the questions relating to "bullying" had been considered inappropriate and for 2009 this had been changed to "workplace behaviour", which included categories other than bullying. As a result 9% of employees had indicated that they felt they had been subject to some serious or unreasonable behaviour. In summary, the Survey showed the impact of recent changes and uncertainty but, nevertheless, a high proportion of employees remained very positive about their jobs and opportunities for personal growth. Key areas for action were improved commitment to the organisation as a whole, leadership development, change management and communications.

Councillor E.J. Carter was invited to speak and commented that in times of change it was critical that employees were involved and given assurances before any recommendations arising from the Survey were implemented. He asked that a family tree of the Council's structure be made available to facilitate communication across all levels and to prevent employees feeling disengaged from the authority as a whole. The Chairman commented that work should be undertaken to try and identify which groups of employees had expressed dissatisfaction and their reasons. In response the Head of Human Resources said that work was currently underway on providing a family tree which would be made available on-line. Consultation with employees on the results would take place through Focus Groups with the corporate focus being led by the Chief Executive, who wished to see employees identifying with the Council as one body, rather than with their own service area. The Organisational Development Manager added that a Corporate Action Plan

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had been drawn up and each service area would be given access to its own data in order to identify areas of dissatisfaction and so put their individual Action Plans in place. In addition the Council could learn from Best Practice at other authorities.

In conclusion, the Chairman stressed the need for communication across the Council and said that, as many other councils were currently undergoing extensive changes, it would be interesting to compare Telford & Wrekin's next Survey results with those of local government overall. He asked that a further report be submitted to the Board setting out the detail of the Actions Plans being drawn up.

SLB-80 SCRUTINY AND THE MEDIA

Members had previously expressed concern at the level of interest shown by the local media to the work of scrutiny and its meetings and had invited the Corporate Communications Manager to attend the meeting to advise them on what action could be taken address this.

He informed the Board that part of issue was that the media had constraints on its resources and wanted outcomes to report upon whilst scrutiny was a reviewing process rather than an immediate decision making process. In the first instance the Board needed to decide what opportunities it had for publicity and what message it wanted to give to the public. Some issues considered by scrutiny would resonate with the public but its processes were generally perceived as difficult and impenetrable and needed to be broken down into more easily understood 'bite sized chunks'.

He, therefore, suggested that the Lead Scrutiny Members should meet in advance of issues they wished to publicise to plan their response and which form of publicity to use. As media organisations could only be invited to attend meetings, he suggested that the Board should consider other ways of publicising its work. The Shropshire Star was only read by half of the Borough and it might be more useful to contact people directly through community groups, interest groups, etc. rather than relying upon them accessing detailed reports. In conclusion, he referred the Board to the Protocol for the issuing of press releases and it was agreed that a copy be circulated to the Members of the Board.

Members discussed in detail ways of informing the public of the role of scrutiny and it was suggested that a list of appropriate organisations and community groups which could be contacted should be compiled. The Chairman said that the recommendations of scrutiny reports could affect many people, who needed to be identified and contacted, so that representatives could be invited to scrutiny meetings. Councillor W.L. Tomlinson agreed and said that there should be an 'outreach to groups' to ask them what work they would like to see scrutiny undertaking.

In conclusion, it was agreed that scrutiny officers would contact the Public Relations Section on a regular basis and raise live and current issues, as prompted by Members, which needed publicising.

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SLB-81 THE FORWARD PLAN

The Scrutiny Leadership Board, at its meeting on 23rd June, 2009 had requested further information on the Council's Forward Plan and the report of the Head of Finance & Audit set out the relevant legal requirements and the purpose of the Plan, which was to give the public advance notification of key matters that were to be dealt with under executive (cabinet) arrangements. However, it was not the purpose of the Forward Plan to provide detailed information about each proposed key decision but to provide a contact point for those people seeking more information or wishing to take part in a consultation exercise.

The information given for each item in the Forward Plan was in line with the requirements of the appropriate Regulations and there was, therefore, little scope for change. In terms of identifying the subject matter of each key decision, Telford & Wrekin's Forward Plan contained more information than that provided in the Plans of many other councils. In addition, some Key Decisions related to exempt information and, as the Forward Plan was a public document, care had to be taken that no sensitive information was included.

The Telford & Wrekin Plan contained a number of "Standard Items", which appeared in each Edition and which meant that, for regular reports on a particular matter, report authors could rely on a generic heading in the Forward Plan rather than having to submit a separate entry for every report. However, it did not mean there were necessarily key decisions relating to all these items during any one Forward Plan period. While this was more efficient operationally, it was agreed that such entries were not always transparent.

During the discussion on this issue, Members were informed that Democratic Services, which was responsible for the preparation of the Forward Plan, was not always able to obtain all the information required for the Forward Plan and the Head of Finance & Audit said that this was an issue that needed to be addressed corporately. The Head of Finance & Audit asked that, in addition to the suggestions put forward in the report, a separate document be prepared for lead scrutiny members detailing the reports that would be considered by forthcoming Cabinet meetings with a brief outline of each report's purpose.

SLB-82 PREPARATION FOR SCRUTINY ASSEMBLY MEETING ON 12 OCTOBER, 2009

The Head of Finance & Audit informed the Board that two questions had been submitted by Mel Ward and Dilys Davies, two of the co-opted Scrutiny Assembly Members. In addition, a set of possible questions was put before the Board for approval. Following a discussion it was agreed that the question submitted by Mel Ward be accepted and that by Dilys Davies be accepted subject to her agreement to withdraw her supplementary question for the purposes of brevity. The list of suggested questions was agreed subject to No. 2 being amended to ask what figure had been aside for the relocation of the Civic Offices.

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The Board Members were asked if there were any further questions that they wished to put forward. Councillor K.L. Tomlinson suggested that a question on youth club buses could be asked and it was agreed that this should be submitted in advance, rather than asked at the meeting, as there would be financial implications to be taken into account. Members noted that any further questions or any supplementary questions could be asked at the meeting.

SLB-83 UPDATE ON IMPLEMENTATION OF PAST RECOMMENDATIONS

The update presented to the Board dealt only with those recommendations that had not yet been completed or where no update had been provided by the responsible officer. Items where information on dates and update position were missing were indicated in red and it was agreed that the responsible officer be given a deadline of two weeks to provide these and, if not received, for the relevant Cabinet Member to be invited to speak to the Scrutiny Leadership Board. On this basis, it was agreed that the Business Manager: Transport be invited to give an oral update on the Review of School Travel to a future meeting of the Board. If Members had any concerns or required clarification regarding any other reviews, they were asked to contact the Scrutiny officers.

SLB-84 SCRUTINY WORK PROGRAMME

The Head of Finance & Audit reminded the Board that a Work Programme Workshop had been scheduled for January 2010. However, in view of the two year work programme agreed in January 2009 and the reduction in the resources currently available to Scrutiny, he asked Members if they wished to hold this event or whether they would prefer to first deal with the work already identified in the Programme. Members agreed that sufficient items had already been identified and, therefore, a Workshop should not be held.

SLB-85 RECOMMENDATIONS FROM VFM SCRUTINY GROUP TO CABINET – TRANSPORT SERVICE REVIEW

The report of the Head of Finance & Audit informed the Board of the outcome of a meeting of the Value for Money (VFM) Scrutiny Group held on 9th September 2009 at which the Transport Service Review report was considered. The Group had been disappointed that it had not been directly consulted regarding the proposals of the Review and had not had the opportunity to feed into the process before they were presented to the Cabinet. It had broadly welcomed the findings of the Review, as it encapsulated the ethos of the VFM Scrutiny Group in maintaining or improving the standard of services whilst making savings, but Members had some concerns regarding the terms of the contract and in particular whether the Council was obtaining best value for money from the fees payable to the consultants. The Group's recommendations in respect of this Review were as set out in the report.

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Councillor W.L. Tomlinson, Chairman of the VFM Scrutiny Group added that, whilst he accepted that this situation may have resulted from timing constraints, he asked that an opportunity for all future Service Reviews to be considered before submission to Cabinet be built into the process. With regard to future Service reviews, he said that more transparency in the process was required including scrutiny of the consultants' fees.

RESOLVED – that it be noted:

- (a) that all future Service Review reports should be considered by the Value for Money Scrutiny Group prior to their consideration by Cabinet so that VfM Members' comments could be considered by Cabinet Members prior to final decisions being taken;
- (b) that the Group did not support the proposals for Post-16 travel given the comparatively low level of pupils accessing post 16 education, particularly in South Telford, and wished to ensure that students and families were not disadvantaged by the Council requesting contributions towards transport costs;
- (c) that the Group echoed the sentiments of the report with regard to, and stressed the importance of, a sympathetic and caring approach when dealing with potential redundancies and requested that necessary reductions in employee numbers be managed through redeployment and 'natural wastage' wherever possible;
- (d) that the Group had requested that the services provided by Travel Link should continue to be provided (although not necessarily in the current form);
- (e) that the Group was concerned that transport provision for vulnerable people and Looked-After Children should be made in consultation with the Social Worker and that after reasonable challenge the final decision on the appropriate transport arrangements for these people should be made by the Social Worker;
- (f) That the VfM Group received an update from the relevant Cabinet Member in 12 months time on progress made on implementation of the Review;
- (g) that, once the initial package of service reviews had been completed, Members of the VfM Group would like to be consulted on the amount and basis of fees payable to consultants engaged to support any further service reviews.

SLB-86 **APPROVAL OF SCRUTINY REVIEWS**

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Councillor K.L. Tomlinson introduced the Review of Section 106 Planning Agreements which had been undertaken as Members were aware that the Section 106 “pot” had grown to many millions of pounds and were concerned that this was a sign of a lack of management controls being in place. In addition, there appeared to be some confusion about the process for negotiating Section 106 Agreements and whether the process was being utilised to its greatest effect.

The review had had three main objectives:

- To evaluate how effectively the resources secured through Section 106 Agreements are managed and utilised.
- To evaluate the impact of changes to Government policy on Section 106 Agreements.
- To make recommendations to the Cabinet to improve effectiveness of the Section 106 Agreement process in the future.

The Review Group had been reassured that the Council had robust processes for negotiating, recording and managing the money received through Section 106 Agreements. However, the Members had wished to make some recommendations, as set out in the Review, but these were only for relatively small adjustments to existing operational processes rather than recommendations for wholesale change.

The Board welcomed the Review and its recommendations, in particular, Nos. 1 and 2. No.1 recommended that consideration be given to including more detail of specific Section 106 Agreements on a planning permission to provide more clarity to members of the public, Ward Members and Parish Councillors. No. 2 recommended that discussions on the priorities for inclusion in a Section 106 Agreement at the beginning of the process for medium and larger developments should include Ward Members as appropriate.

SLB-87 CHAIRMAN’S UPDATE

The Chairman informed the Board that this would be Alison Smith’s last meeting before leaving the Council and she was thanked for all the work she had done for Scrutiny.

SLB-88 SCRUTINY FORWARD PLAN 2009

The updated Scrutiny Forward Plan for 2009-10 was noted by the Board.

SLB-89 DATE OF NEXT MEETING

Members noted that the next scheduled meeting of the Scrutiny Leadership Board would take place on 19 November, 2009.

The meeting ended at 6.35 p.m.

Chairman:

Date: