

# Overview and Scrutiny Committee

**2 July 2012**

Present: Councillor C B Pickard (Chair)  
Councillors J M Allan, A Austin, B Burdis,  
S Day, I Grayson, C Gambling, R Glindon,  
J Harrison, M Huscroft, D McGarr,  
M Rankin and J Stirling.

Also present

Councillor J Wallace

## **OV9/07/12 Apologies**

Apologies for absence were received from Councillors J McLaughlin, N Redfearn and Rev M Vine

## **OV10/07/12 Substitute Members**

Pursuant to the Council's constitution the appointment of the following substitute Members was reported:-

Councillor B Burdis for Councillor N Redfearn

## **OV11/07/12 Declarations of Interest**

There were no declarations of interest.

## **OV12/07/12 Minutes**

**Resolved** that the minutes of the meetings held on 28 May 2012 be confirmed.

## **OV13/07/12 Equalities and Diversity**

Felicity Shoemith – Manager Engagement presented a report that reminded the Committee of the Council's statutory responsibility as set out in the Equality Act 2010, these being:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

The Committee was reminded that to support the Council in knowing about the people that may be affected by any of its decision's, the Council collected and published equality data about employees and people who access Council services. Service areas then use the information to help inform any specific actions that may need to be taken to ensure compliance with its equality duty. The report outlined the purpose and benefits of collecting

and using equality data. It detailed the equality information that the Equality Human Rights Commission would normally expect the Council to publish with regards to its employees and the services it provides.

Also circulated at the meeting was an outline of the work that had been carried out in order to support North Tyneside schools to meet their equality requirements.

The Engagement Manager informed that the Council was compliant with its statutory responsibility and that Equality Policy was under development and once fully drafted would seek the Committee's views.

Members asked what information was collected, the trends they show and the role of the Council to promote equality and diversity to the wider community. They asked how the Council would be assured that any outsourcing of services would be compliant to the equality agenda and the effect on areas such as carbon footprint reduction. Members requested that the draft Equality and Diversity policy be circulated to the Committee for information.

Officers informed the Committee of the range of information that is collected and accessible, that the Council could not enforce the equality and diversity agenda on organisations outside its control, however, it was highlighted that the Council carries out events throughout the borough promoting and raising awareness of the equality and diversity agenda to the wider community.

With respect to outsourcing of services Members were assured that agreed key indicators were featured in all contracts and that there was a requirement to all bidders to reduce the carbon footprint, an example was given that the expectation of how this would be done was by using local labour and suppliers.

It was **agreed** that (1) the draft Equality and Diversity policy be circulated to Members of the Committee, (2) the published information relating to Workforce and Service Users, the monitoring of Services procured, links with other organisations in relation and monitoring of the equality and diversity agenda and human resources information used and integrated into the development of policies of the Council be provided.

#### **OV14/07/12 Change Efficiency and Improvement Programme: Progress Update (Previous Minute OV5/05/12)**

Councillor J Wallace – Cabinet Member for Finance was in attendance at the meeting at the request of the Committee. The Chair welcomed Councillor Wallace to the meeting.

The Committee received the monthly overview of progress of each of the three themes of the Change Efficiency and Improvement (CEI) programme.

The CEI saving target for the four year period 2011-15 was updated to £43.743m and the report detailed the savings for each theme for the four years of the programme.

Key progress for the themes was detailed as follows:

**Theme A:**

- Children and Education Services: some of the income related aspects of this part of the theme were contingent on the finalisation of the council's budget. Work was well underway to establish new services that would improve the prevention and intervention activity and new teams and management had been established. The service was would make the best use of the opportunities provided by the Troubled Families programme. The new service manager for integrated disability services for people aged 0-25, would be in place by September.
- Adult Social Care: all projects and savings were ahead of target in the modernising supporting people project. Significant work had been carried out to re-engineer processes and establish modern management arrangements and savings targets had been met. As part of the Intermediate Care Rationalisation, Dorset House had closed with no degradation of service provision.
- Governance was being developed to link in plans for Public Health Transition joint commissioning arrangements with the NHS. This would streamline the number of boards/groups ensuring that interdependent projects were managed effectively.

**Theme B:**

- Detailed solutions had been received from the preferred bidders for both business and technical packages. Stakeholder days had taken place for staff, Members and partners to meet with potential future service deliverers. The competitive dialogue was continuing.
- Shared working arrangements with Northumberland County Council had been established for Adult Services.
- Corporate Core structure had been formulated and was under its 30 day consultation period.

**Theme C:**

- In 2011/12 the reduction in waste of over 2000 tonnes had been made, maintaining recycling rate of 37.6%
- Carbon budget were available online for the top 30 sites and end of year figures showed:
  - Electricity consumption was down 6%.
  - Gas consumption was down by 16%.
  - Fleet diesel consumption was down 5%.
  - Vehicle fleet had reduced by 25%.
  - 1,503 solar PV arrays had been installed on North Tyneside homes.
  - Overall Carbon footprint was down 7% (to 40,176 tonnes).

Information appended to the report detailed the progress per project area within each of the three themes. For the financial year 2012/13 the revised savings target was £16.739m.

Members questioned to the reason for not showing financial savings data in a cumulative format. The Committee was informed that the format was consistent to that provided in the budget setting process, it was also stated that the format enabled improved performance management.

A number of issues were raised in respect to the additional information provided in appendices 2 and 3 relating to financial implications from Cabinet decisions and reconciliation overview.

The Chief Executive stated that this additional information had been provided at the request of the Committee, however, the information had only brought further confusion. He suggested that the information should be dis-regarded for future meetings to alleviate any potential confusion.

The Chair stated that the Committee had requested the information as it had concerns that savings of some projects may then be used to circumvent other projects within the CEI Programme that were not fulfilling the savings allocated to them. He stated that it was important for the Committee to understand, which projects were not making the required savings and the reasons why.

Members also queried gaps in the data in the progress plan where the identification of projects, progress information and dates had not been provided. The Chief Executive reassured the Committee that information in the progress plan would be more comprehensive for the next meeting of the Committee.

A Member raised that under Theme C – Waste, to when the Garden Waste Subscription would be in place. The Cabinet Member of Finance updated the Committee that information on Garden Waste Collection Scheme had been advertised in the recent residents Widening Horizons Magazine.

In respect to business case – Remodel Resources Allocation System/Set Contingency the Chair asked who would be carrying out the review of the pilot and development of the action plan. The Chief Executive informed the Committee that relevant managers would carry out an initial and final Equity Impact assessment before implementation and would monitor the projects. The Chair stated that he thought Overview & Scrutiny Committee should have a role in the monitoring of CEI projects.

A Member asked how the service of grass cutting was being delivered across the borough as residents had the impression that some wards of the borough were receiving a more frequent grass cutting and collection service than others. The Cabinet Member of Finance stated that all areas of the borough were receiving the same service with respect to grass cutting.

It was **agreed** that (1) the Change Efficiency and Improvement progress report, detail financial data per project and what Council policies it affects; and (2) ensure that all sections of the progress plan are comprehensively completed.

*Councillor J Wallace left the meeting at this point and took no further part.*

### **OV15/07/12 Corporate Core**

The Chief Executive updated the Committee of the need to restructure the strategic centre, known as the Corporate Core and presented the proposals stating that the changes were needed to reflect the changing needs of the organisation and to meet financial constraints.

The Committee was informed what strategic functions would comprise the Corporate Core and detailed those functions that would be required to deliver savings of £800,000 (including £338,000 for financial year 2012/13) over three years.

It was stated the Corporate core would operate in two ways:

- **Core Democratic and Governance functions** supporting the democratic process and the overall corporate governance of the Council
- **Strategic 'centres of excellence'** that would provide a professional lead for the organisation, including setting standards, agreeing strategic direction and co-ordination but then supporting delivery, that would continue to take place with the Directorates.

The Committee were informed that staff affected and the Trade Unions had been consulted on the proposals and the consultation period would end on 18 July 2012 with implementation in October 2012.

A Member raised concerns at the perceived cut to the support to the Council's Scrutiny functions, stating that support of scrutiny officers would reduce from 5.2 FTE Performance and Scrutiny Officers to 2 FTE Scrutiny Advisor posts. A Strategic Services Officer stated that the changes reflected the division of duties of the current Performance and Scrutiny Officer posts. The Chief Executive also stated that it was proposed that there was not a need for Scrutiny Advisors to attend Scrutiny Committee meetings.

A Member stated that it was necessary that Scrutiny Officers should be present at formal meetings to keep a consistency to the work that scrutiny committees would undertake. A Strategic Services Officer stated that there were alternative ways to keep Members aware of the work scrutiny was undertaking.

Members asked what consultation had been carried out with the chair/deputy chairs of scrutiny. The Chief Executive stated that consultation was the report he had brought forward at the meeting.

The Chair stated that he had been consulted on the proposed changes to scrutiny, he also stated that it was necessary that the Council's Scrutiny functions should have the appropriate support.

A Member raised concerns with the proposed deletion of the Domestic Violence Coordinator and Community Safety Manager. A Strategic Services Officer informed the Committee that the duties of the Community Safety Manager would be undertaken by the proposed new post of Safer North Tyneside Advisor.

A Member raised the issue of the lateness of Members receiving the information and that Councillors had not been consulted until it received the report, stating that all Members should have been consulted and not just brought to the attention of those that sat on Overview and Scrutiny Committee.

A Member stated that the proposed restructure was being made only to reduce the financial constraints and not to improve service delivery.

A Member asked what involvement Human Resources had been in the process, if the Council would lose expertise and if a skills match exercise had been undertaken to the proposed roles being created. The Assistant Human Resources Manager stated that service managers had been supported to identify and design posts that were required at a strategic level.

The Chair stated that the issue was that to provide the necessary service delivery that the most appropriate officers needed to be in post. He stated that further discussion should take place and asked that a meeting be arranged to allow the Elected Mayor and political group leaders to discuss requirements and concerns in relation to the proposed Corporate core and this to take place before the end of the consultation period 18 July 2012.

A member stated that further discussion was needed and that the restructure was being rushed through. The Chief Executive stated that he would arrange for the matter to be brought back to the next meeting of Overview and Scrutiny Committee and that no final decision would be taken until the Committee had a further opportunity to discuss it.

Members requested that the responses from staff and unions be included in the information that they should receive. The Chief Executive said that would be provided however where personal identification of individual staff members was apparent, the individuals details would be redacted.

It was **agreed** that (1) a meeting be convened with the Elected Mayor and Political Group Leaders to discuss requirements and concerns in relation to the proposed Corporate core and this to take place before the end of the consultation period 18 July 2012; (2) the Corporate Core matter come before Overview & Scrutiny Committee before any proposals are finalised; and (3) responses to the consultation with staff and unions be made available with the understanding that where employee names are shown that these be redacted.

*Councillor M Rankin left the meeting at this point and took no further part.*

### **OV16/07/12 Council Strategic Plan and 2012/13 Budget – Implementation Plan – (Previous Minute OV92/05/12)**

The Committee received a copy of the most recent copy of the Implementation Plan that had been revised following the Cabinet meeting of 11 June 2012. Appended to the plan was further information requested by the committee at its meeting on the 28 May, relating to the extended chronology of providing information about the securing legal advice concerning the Budget and Council Plan and information regarding the referral of the revision of the Council protocols to the Constitution Task Group.

A Member asked the Chief Executive to clarify what would be the expectation to how Council's Officers carry out their responsibility when working to the Council's Budget and Policy Framework. To substantiate the question he gave the perceived perception of officers seeking alternative methods to bypass the need for a decision having to be discussed at Full Council. The Member questioned the value of having a Council Budget and Policy Framework in its Constitution, if it was not to be followed.

The Chief Executive responded by reminding Members of the legal guidance that it had received from Mr J Goudie QC on the responsibility for decision making under Mayor and Cabinet Executive Arrangements. He reiterated that under the Functions and Responsibilities Regulations differing responsibilities would fall under the Cabinet and Council and that officers would follow the most appropriate when carry out their duty to the

Council. He reminded the Committee that the Functions and Responsibilities Regulations were under review by the Department of Communities and Local Government and would hopefully be clarified and available in early summer and advised that at that point the Council's Constitution may need revision. Finally he stated that the Law (the Functions and Responsibilities Regulations) would always outweigh the Councils Constitution and the Council Officers would always be aware of their responsibilities.

The Chair raised concerns with the financial information received in the agenda papers, stating that the information provided did not give a clear understanding of the financial position of the Council's Budget. It was suggested that the implementation plan detail the budget implications for each matter and provide totals for the whole plan. Concerns were also raised to Service Areas who may not be fulfilling its associated savings with regarding the implementation plan. It was stated by the Committee that there was a need for a full discussion to take place at the Council meeting on the 4 July 2012.

The Chief Executive reassured the Committee that officers were clear to the position of the Council Finances and that they would endeavour to clarify its position to alleviate members concerns. That each Council Service Area's have their own associated service plan that identifies the targets and requirements it needs to achieve and that service plans could be made available to the Committee.

The additional information appended to the implementation plan relating to the extended chronology of providing information about the securing legal advice concerning the Budget and Council Plan and information regarding the referral of the revision of the Council protocols to the Constitution Task Group was not discussed.

It was **agreed** that (1) Amendments be made to the Implementation plan to detail the budget implications and totals per item in the plan; and (2) service plans for each Service Area of the Council be made available in each of the Party Group Rooms.

### **OV17/07/12 Forward Plan**

The Committee were presented with the Forward Plan covering the period July – October 2012 to identify any issues for inclusion in the committee's work programme.

A request was made that an all Member briefing be arranged in relation to:

- Council Tenants Repair Matrix

It was **agreed** that (1) the July – October 2012 Forward Plan be noted; and (2) an all Member briefing be arranged in relation to the Item - Council Tenants Repair Matrix