

NORTH YORKSHIRE COUNTY COUNCIL

CORPORATE AND PARTNERSHIP OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held at County Hall, Northallerton on 12 September 2011 at 10.30 am.

PRESENT:-

County Councillor Liz Casling in the Chair.

County Councillors Val Arnold, Bernard Bateman, Karl Arthur, Geoff Webber, Phillip Barrett, David Ireton, David Jeffels, Andrew Lee, John McCartney and Stephen Shaw.

In attendance:-

Executive Member County Councillor John Watson.

Officers:-

Neil Irving (Assistant Director, Policy & Partnerships), John Moore (Corporate Director Finance and Central Services), Dominic Passman (Head of Health & Safety Risk Management), Rob Polkinghorne (Organisational Change Programme Director), Fiona Sowerby (Corporate Risk and Insurance Manager), Jonathan Spencer (Corporate Development Officer), Geoff Wall (Assistant Director Central Finance).

Apologies for absence were received from County Councillors Neville Huxtable and Brian Simpson.

COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK

46. MINUTES

RESOLVED –

That the Minutes of the meeting held on 13 June 2011, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

47. PUBLIC QUESTIONS OR STATEMENTS

There were no public questions or statements to be put to the Committee.

48. ANNUAL PROCUREMENT REPORT

CONSIDERED –

The report of the Corporate Director – Finance and Central Services, inviting the Committee to consider a range of information relating to procurement activity during 2010/11.

County Councillor John Watson introduced the report.

Geoff Wall, Assistant Director Central Finance, explained that approximately half of everything that the County Council spent in 2010/11 was for goods and services. It was important therefore to have effective procurement activity in place. Mr Wall went on to refer to section 4 of the report which outlined how the procurement process was managed. He referred to section 5 which listed the savings obtained from procurement exercises or contract management, and noted that this year a more consistent approach for contract management had been implemented across the Authority. Mr Wall referred to section 6 of the report which identified the impact on the local economy. He explained that the extent to which the County Council could procure goods and services from Small to Medium Enterprises (SME's) and local enterprises was restricted by law; supporting local enterprises had to be balanced with obtaining value for money. However the point was to ensure that as far as possible within these constraints a reasonably level playing field was put in place. Mr Wall referred to section 7 of the report relating to the environmental aspects of sustainability.

Members made the following comments:

- Each directorate had in the past had their own mobile phone contracts and so value for money had not been obtained. In response to a question Mr Wall confirmed that directorates were now adhering to the corporate policy on mobile phone contracts. He said that the challenge, however, was to get the right machine at the right the price.
- The level of bureaucracy involved when companies were applying for approved contractor status, which was particularly burdensome for SME's. In response Mr Wall mentioned that regionally local authorities had looked at having a standard Pre-Qualification Questionnaire (PPQ) template but no progress had been made on this. The government had produced a standard PPQ template. However Mr Wall said that in his judgement this was a more complicated template than the one already used by the Council. Whilst some of the procurement processes could not be simplified due to EU rules, the County Council was helping organisations in other ways. This was primarily through engagement activities including 'Meet the Buyer' events. These events were aimed at providing advice and support on the procurement processes that the Council used.
- In response to a question about how procurement opportunities were advertised and the potential for smaller local companies to tender for work, Mr Wall said that the Council tried to ensure that it was transparent with regards to the procurement opportunities that it was offering. Improvements had been made in this regard with the introduction of the E-procurement portal. The County Council was also encouraging smaller companies interested in procurement opportunities to join together to tender for work.
- The extent to which the County Council had discretion between accepting the lowest tender and accepting tenders from local providers for the greater benefit of the local economy. Mr Wall replied that it depended upon the type of procurement opportunity. Local providers were likely to have a good understanding of the sort of services needed for the area in the future and for this reason the Council had undertaken some work with local providers of social care. In general the County Council was prepared to offer general advice on procurement processes but beyond that could not offer advice that could be construed to give them an advantage. The starting point when drawing up the tender specification was to determine how much weight could be put on price and quality. The back-up specification could also include an

element for sustainability measures. Local customer service arrangements could also be taken into account.

- The extent of sub-contracting in relation to construction projects, leading to a mark-up in costs. John Moore, Director of Finance and Central Services, replied that it was difficult and often not appropriate for the County to influence the extent to which principle contractors' subcontracted and the relationship they had with sub-contractors. The County Council's contract relationship was with the principal contractor.
- How the County Council monitored social community care providers in light of there no longer being a consistent standard between different providers as a result of services having been externalised. Mr Wall replied that when the Adult and Community Services Directorate had restructured to Health and Social Care, a procurement team had been set up whose contract management role including monitoring quality of service provision; so there was challenge and expertise there. There was also external validation of the quality of service that social community care providers were providing, chiefly through the various inspectorates.
- The Chairman asked Mr Wall to provide future updates to the Committee on how procurement would be affected by One Council. Mr Wall said that he would forward copies of the updates provided to the Corporate Procurement Working Group.

RESOLVED –

- a) That the Annual Procurement Report be noted.
- b) That the Committee receives a similar annual procurement report in future years at the June/July meeting.
- c) That the Committee receives copies of the One Council procurement updates provided to the Corporate Procurement Members Working Group.

49. HEALTH AND SAFETY INSURANCE CLAIMS

CONSIDERED –

The report of the Corporate Director – Finance and Central Services to review health & safety performance during 2010/11 and future actions for 2011/12; to provide an overview of insurance claims experience over recent years; and analyse the pattern and costs of Public Liability claims over the last 10 years.

County Councillor John Watson introduced the report. He noted that the overwhelming majority of claims that the County Council received for assessment each year were not successful. Of the minority of cases that went to court the County Council won the vast majority.

Dominic Passman, Head of Health & Safety Risk Management, explained that health and safety was a significant element of procurement. He went on to note that in the current financial climate it was especially important that the number of Health & Safety incidents was reduced. Figures going back to 2006/07 showed that overall, year on year, there had been an on-going reduction of health and safety incidents. Pupil accidents had increased this year though. This was due to the severe winter weather and the increase in contact-sport accidents. The number of asbestos

related accidents had reduced but it was important not to be complacent. Construction-related Health and Safety remained a priority for the Council and there had been a recent fatality involving a roofing contractor. Mr Passman went on to refer to section 4 covering progress with health and safety developments in 2010/11 and section 5 of the report relating to health and safety developments proposed for 2011/12.

Members made the following comments:

- In response to a question about two recent asbestos incidents, Mr Passman confirmed that they related to asbestos releases in schools. These had resulted from intrusive work having been carried out, inadvertently disturbing the asbestos. Generally there was a low level of risk to exposure of asbestos in schools and the Authority had undertaken detailed surveys of all its properties, including schools. In addition when intrusive building work was due to be carried out in schools an intrusive survey was carried out before the work commenced. Fiona Sowerby, Corporate Risk and Insurance Manager, confirmed that the two accidents had been covered under the Employers Liability insurance. The County Council received very few asbestos-related claims and those that are received, relate to exposure a long time ago. These claims were known as “long tail” claims.
- Anecdotal evidence of an increase in tyre and suspension damage to cars due to potholes in the road. In response to a question about whether there had been a subsequent increase in highways-related claims submitted to the County Council, Fiona Sowerby said that although there had been an increase due to the bad weather, the number of claims received over the last two years was similar. She referred to the criteria that had to be met for a highways-related claim to succeed. She said that she was working with colleagues in Highways to improve the transparency of the process. This was in order to ensure that the public were aware from the start about what they would need to demonstrate in order for their claim to succeed. Details were now available on the NYCC website.
- The Chairman noted that the County Council had signed a new insurance contract and asked for details. Fiona Sowerby confirmed that the Council had recently undertaken a procurement exercise for insurance. Five companies had responded to the pre-qualification questionnaire and three had put in a tender. From the tenders received, the County Council had managed to successfully negotiate a price reduction and obtain a better deal on the aggregate insurance excess. She went on to name the companies that had won the contracts for insurance, covering: property, liability, motor insurance and personal accident.

RESOLVED –

- a) That H&S performance in 2010/11 and future actions for 2011/12 be noted.
- b) That insurance claims experience over recent years, and the pattern and costs of Public Liability claims over the last 10 years be noted.
- c) That in relation to the information provided for insurance claims no further actions are required.

50. ONE COUNCIL PROGRAMME

CONSIDERED –

The report of the Assistant Chief Executive (Policy, Performance and Partnerships) to provide the Committee with the background papers relating to One Council and to outline the performance reporting arrangements.

Rob Polkinghorne, Organisational Change Programme Director, provided an update on the implementation of the One Council programme's nine workstreams. He referred to the County Council's intranet which now contained a One Council section including the workstream plans and related 'Frequently Asked Questions'. The monthly highlight reports would also be available to view there. The updated workstream plans would be finalised by the end of September. At that stage it would be possible to identify the types of savings to be made but the Council would not be in a position to put specific figures against them.

Rob Polkinghorne went on to refer to the role of the Committee in monitoring the implementation of the One Council Change programme. He said that the Committee as a whole would receive the One Council quarterly performance reports prior to presentation to the Executive, with a verbal update provided followed by a question and answer session.

The Chairman mentioned that a Task Group, comprising Members of the Committee, would be involved in more detailed work and Members to this Task Group would be appointed later on in the meeting. Rob Polkinghorne said that he was proposing to hold two workshops for the Task Group in October and November. The purpose of the first workshop would be to look at which aspects of the programme should be delivered in the short, medium or long term. The purpose of the second workshop would be to discuss the final draft of the programme plan. The Task Group would then meet at set intervals thereafter.

Members made the following comments:

- The need to bring staff along with the change programme and overcome their natural opposition to change. A financial incentive scheme could be introduced to reward staff initiative, for example by having an 'employee of the month' system. Mr Polkinghorne replied that staff engagement was critically important and he was working with Helen Edwards, Head of Communications, to involve staff. An internal panel of staff volunteers was being introduced to allow staff to be able to make suggestions, debate issues, express their views and get more involved in the workstreams. This would be done via the intranet, by email and, on occasions, by focus groups. A series of 'Making it happen' workshops were about to be launched. These would be facilitated by Human Resources and were geared at consulting with staff on businesses processes. Mr Polkinghorne said that he was encouraged by the fact that staff seemed to be engaging with the One Council change programme in a pro-active manner. Whilst it was true that some staff were apprehensive he did not believe that financial incentives were the way to go. Other types of incentives around stakeholder engagement could be explored however. Monthly update meetings with UNISON were also being held.

RESOLVED –

- a) That the Committee notes the content of the report.
- b) That the Committee agrees to the monitoring arrangements and reporting schedule outlined in the report.

51. SUSTAINABLE COMMUNITY STRATEGY REFRESH 2011/14

CONSIDERED –

The report of the Assistant Director Policy, Performance and Partnerships, updating the Committee on progress to date for the refresh consultation process and inviting the Committee to provide a response to the consultation.

Neil Irving, Assistant Director Policy, Performance and Partnerships, explained that the Sustainable Community Strategy (SCS) provided a long term vision for North Yorkshire. The 2008 strategy had provided a 10 year vision. However it was now appropriate to review the document in light of the challenging economic environment, changes in public service delivery and because the requirement to produce a Local Area Agreement had been removed.

The three priorities that were being proposed in the new document were: protecting and supporting vulnerable people; supporting economic growth and employment; and improving accessibility for all our communities. Local Government North Yorkshire and York (LGNYY) and the Chief Executives Group for North Yorkshire and York (CEO Group) viewed these priorities as the most critical for the next few years and requiring partnership efforts in order to be tackled effectively. Various organisations were being consulted on the document including the County Council. The Citizen Panel had also been consulted and the results were that 87% of the Citizens Panel supported the economic growth priority, 84% supported the vulnerable people priority and 65% supported the accessibility priority. Mr Irving invited the Committee to consider its response to the consultation and proposed draft strategy. The final date for receipt of comments was Friday 23rd September 2011.

Members made the following comments:

- Tackling homelessness, including for recovering drug addicts/alcoholics over 18 yrs of age, should be included under the protecting and supporting vulnerable people section. Whilst the responsibility for housing rested with district councils, they did not have the resources to tackle this issue on their own.
- The substantial increase in housing association rents over recent years had made it difficult for people to move out of supported accommodation, particularly if they were not on housing benefit, compared to previous years.
- Recent reductions in County Council services such as bus services, the library service, and closure of village shops and pubs belied the 'improving accessibility' priority. This was especially so in rural areas. Increased broadband connectivity in rural areas was not a substitute for local services. Various alternatives for the wording of this priority were suggested. These included 'providing' accessibility, though it was acknowledged that this might suggest a minimum standard, 'protecting' and 'developing'. Another suggestion was made that the strategy should be to improve accessibility and

whilst the budget cuts had gone against this, this should still be the longer term aim of the County Council and other partners.

RESOLVED –

- a) That Members note the update provided.
- b) That the Committee agrees with the three priorities but suggests a rewording of the accessibility priority plus inclusion of homelessness and issue of housing association rents.

**52. CONSULTATION ON REVISED EQUALITY AND DIVERSITY POLICY STATEMENT
CONSIDERED –**

The report of the Assistant Director Policy, Performance and Partnerships, to inform the Committee of the current consultation on the revised Equality and Diversity Policy Statement; to provide the Committee with the opportunity to contribute to the consultation process; and to inform Committee of work in relation to the Equality Act 2010.

Neil Irving mentioned about the changes to equality legislation introduced in the Equality Act 2010, chiefly in relation to the Public Sector Equality Duty. He said that this made it an opportune time to update the County Council's Equality and Diversity Policy Statement. Consultation on the revised Equality and Diversity Policy Statement was now underway and he welcomed the Committee's views on the statement. He went on to note that although the Equality Act did not explicitly require Equality Impact Assessments (EIAs) to be undertaken, EIAs provided one of the ways in which the County Council could demonstrate "due regard" to meeting this duty.

The Chairman referred to the work programme and noted that the Committee would be recommended to take a practical look at EIAs from all directorates, to see how useful they were as a tool to assess the impact of service changes and the extent to which they informed the budget process.

Members made the following comments:

- Parish councils as grass-roots organisations, representing local views, and the extent to which the County Council interrelated with parish councils. In response Mr Irving said that the County Council undertook various consultations with parish councils. Response rates tended to be low so additional ways were being used to communicate with parish councils. This included, in some districts, joint parish liaison meetings.

RESOLVED –

- a) That the Committee notes the consultation on the updated Equality and Diversity Policy Statement.
- b) That the Committee notes the ongoing work to meet the requirements of the Equality Act 2010 and the Public Sector Equality Duty.

53. “BUILDING THE BIG SOCIETY LOCALLY”

CONSIDERED –

The report of the Access to Services Task Group asking the Corporate and Partnerships Overview & Scrutiny Committee to discuss and note the information in the draft final report on Building the Big Society locally; and to consider the recommendations to the Executive set out on page 28 of the report.

Members made the following comments:

- The mechanism for administering a small grants fund. A discussion was held concerning the feasibility of giving Area Committees the responsibility to approve applications. Views were expressed for and against this proposal. Reference was made to putting in place a strict set of county-wide criteria for Area Committees to follow to ensure that such a fund was well-managed and strategic. It was noted that if responsibility for administering the fund was given to Area Committees, this fund needed to be seen as distinct from other grant funding streams that Area Committees may have in the future.
- The importance of highlighting the findings and recommendations of the Task Group's report to parish councils and other partners, and ways to take the recommendations forward, pending the outcome of the Executive's discussions. It was noted that the directory of contacts could be publicised by producing a handout to distribute to parish councils and at Area Committee meetings.
- The work being undertaken in a Member's Division to launch a local broadband scheme. The Member indicated that communication between NYNet and the local community had been patchy to date and that NYNet should be providing more support to communities. The scheme had also been delayed due to the time it had taken to get other partners on board. The Chairman noted that the Task Group's visit to the Vale of Mowbray community broadband project had shown a heavy reliance on local people to develop broadband schemes. She went on to suggest that NYNet be invited to future meeting to discuss how it could provide further help and support to communities. Neil Irving mentioned that the County Council had recently employed a Project Manager to work with NYNet and communities on community broadband projects and he could also be invited to provide an overview of community broadband developments in the county and respond to issues and concerns.

Jonathan Spencer mentioned that the Building Big Society locally report would be considered by the Executive on Tuesday 18th October 2011.

RESOLVED –

That the Corporate and Partnerships Overview and Scrutiny Committee approves the final report of the Access to Services Task Group to be presented to the Executive, subject to the recommendation to establish a small grants fund making reference to the possibility of Area Committees administering the fund using a strict set of county-wide criteria.

54. WORK PROGRAMME

CONSIDERED –

The report of the Corporate Development Officer to invite the Committee to consider the work programme.

Members made the following comments:

- A presentation should be given by North Yorkshire Police on future policing structures. A presentation on community broadband should also be incorporated into the work programme.

RESOLVED –

- a) That the Committee approves the One Council Change Programme Review and the Equalities Review.
- b) That the Committee appoints County Councillors Val Arnold, Bernard Bateman, Liz Casling, David Jeffels, Stephen Shaw and Geoff Webber to a One Council Task Group to progress the One Council Review.
- c) That the One Council Task Group meets initially on Wednesday 19th October 2011 and Wednesday 16th November 2011; with a programme of dates to be set thereafter.
- d) That a presentation by North Yorkshire Police on future policing structures and a presentation on community broadband be incorporated into the work programme.

The meeting concluded at 12.45pm

JS/ALJ