

## **OVERVIEW AND SCRUTINY PERFORMANCE BOARD 26 JANUARY 2017**

### **DRAFT SCRUTINY REPORT: COMMISSIONING: STAFF TERMS AND CONDITIONS**

---

#### **Summary**

1. The Overview and Scrutiny Performance Board (OSPB) is asked to consider and approve the attached draft Scrutiny Report of the Commissioning: Staff Terms and Conditions Scrutiny Task Group.

#### **Background**

2. The aim of the scrutiny was to examine what influence the Council has to ensure that those it commissions from are fair employers.
3. In July 2015, the Overview and Scrutiny Performance Board agreed to scrutinise the way the Council commissions services and what influence it has on terms and conditions of staff employed by external providers.
4. The scrutiny was initially prompted by concerns raised about the terms and conditions of some staff employed by the Council's contractors, in particular relating to the minimum wage, travel time, zero hours contracts and access to union representation.
5. It was agreed that the exercise would be led by the Scrutiny Board Member with responsibility for commissioning processes, Cllr Kit Taylor.

#### **Terms of Reference**

6. A Task Group was set up to look at:
  - What powers or duties the Council has when commissioning providers in relation to staff terms and conditions
  - Whether and how the Council monitors contractors' employment conditions
  - How the Council evaluates tenders and what account is taken of employee conditions
  - How the Council monitors the quality of services provided by contractors which may be affected by staffing quality or turnover
  - How the Council ensures that there is a provider market

#### **Progress to date**

7. The Board has received regular updates on the Task Group's progress.

## **OSPB's Role**

8. One of the OSPB's roles is to monitor the quality of scrutinies that are carried out to ensure that scrutiny reports are robust and evidence based, and that they follow the terms of reference agreed by the OSPB.

9. To help with this, the Task Group's Lead Member has provided the OSPB with regular verbal updates on the progress of the scrutiny.

## **Next Steps**

10. Once the Board is content, the Scrutiny Report will be considered by Cabinet on 2 February 2017.

## **Purpose of the Meeting**

11. The OSPB is now invited to consider, comment on and approve the attached Scrutiny Report.

## **Supporting Information**

Appendix 1- Draft Scrutiny Report: Commissioning Staff Terms and Conditions

## **Contact Point for the Report**

Alyson Grice/Samantha Morris, Overview and Scrutiny Officers  
Tel: 01905 844962/844963  
Email: [scrutiny@worcestershire.gov.uk](mailto:scrutiny@worcestershire.gov.uk)

## **Background Papers**

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

- Agenda and minutes of the OSPB meetings on 8 June 2015, 28 January 2016, 21 April 2016, 25 May 2016 and 23 June 2016.
- [All agendas and minutes are available on the Council's website here.](#)