

# Agenda

## Cabinet

**Thursday, 21 July 2016, 10.00 am**  
**County Hall, Worcester**

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Find out more online:

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# DISCLOSING INTERESTS

There are now 2 types of interests:  
**'Disclosable pecuniary interests'** and **'other disclosable interests'**

## WHAT IS A 'DISCLOSABLE PECUNIARY INTEREST' (DPI)?

- Any **employment**, office, trade or vocation carried on for profit or gain
- **Sponsorship** by a 3<sup>rd</sup> party of your member or election expenses
- Any **contract** for goods, services or works between the Council and you, a firm where you are a partner/director, or company in which you hold shares
- Interests in **land** in Worcestershire (including licence to occupy for a month or longer)
- **Shares** etc (with either a total nominal value above £25,000 or 1% of the total issued share capital) in companies with a place of business or land in Worcestershire.

**NB Your DPIs include the interests of your spouse/partner as well as you**

## WHAT MUST I DO WITH A DPI?

- **Register** it within 28 days and
- **Declare** it where you have a DPI in a matter at a particular meeting
  - you must **not participate** and you **must withdraw**.

**NB It is a criminal offence to participate in matters in which you have a DPI**

## WHAT ABOUT 'OTHER DISCLOSABLE INTERESTS'?

- No need to register them but
- You must **declare** them at a particular meeting where:  
You/your family/person or body with whom you are associated have a **pecuniary interest** in or **close connection** with the matter under discussion.

## WHAT ABOUT MEMBERSHIP OF ANOTHER AUTHORITY OR PUBLIC BODY?

You will not normally even need to declare this as an interest. The only exception is where the conflict of interest is so significant it is seen as likely to prejudice your judgement of the public interest.

## DO I HAVE TO WITHDRAW IF I HAVE A DISCLOSABLE INTEREST WHICH ISN'T A DPI?

Not normally. You must withdraw only if it:

- affects your **pecuniary interests OR** relates to a **planning or regulatory** matter
- **AND** it is seen as likely to **prejudice your judgement** of the public interest.

## DON'T FORGET

- If you have a disclosable interest at a meeting you must **disclose both its existence and nature** – 'as noted/recorded' is insufficient
- **Declarations must relate to specific business** on the agenda
  - General scattergun declarations are not needed and achieve little
- Breaches of most of the **DPI provisions** are now **criminal offences** which may be referred to the police which can on conviction by a court lead to fines up to £5,000 and disqualification up to 5 years
- Formal **dispensation** in respect of interests can be sought in appropriate cases.

Simon Mallinson Head of Legal and Democratic Services July 2012

WCC/SPM summary/f

## Cabinet

**Thursday, 21 July 2016, 10.00 am, County Hall, Worcester**

**Membership:** Mr S E Geraghty (Chairman), Mr M L Bayliss, Mr A N Blagg, Mrs S L Blagg, Mr M J Hart, Mrs L C Hodgson, Dr K A Pollock, Mr A C Roberts and Mr J H Smith

### Agenda

Item No	Subject	Page No
1	<b>Apologies and Declarations of Interest</b>	
2	<b>Public Participation</b> Members of the public wishing to take part should notify the Head of Legal and Democratic Services in writing or by e-mail indicating both the nature and content of their proposed participation no later than 9.00am on the working day before the meeting (in this case 20 July 2016). Further details are available on the Council's website. Enquiries can also be made through the telephone number/e-mail address listed below.	
3	<b>Confirmation of the Minutes of the previous meeting</b> The Minutes of the meeting of 16 June 2016 have been previously circulated	
4	<b>Balanced Scorecard and Corporate Risk Update - Quarter 4 2015/16 Performance Report</b>	1 - 14
5	<b>West Mercia Energy - Proposed Amendments to the Joint Agreement and Governance Arrangements</b>	15 - 18

#### NOTES

- **Webcasting**

Members of the Cabinet are reminded that meetings of the Cabinet are Webcast on the Internet and will be stored electronically and accessible through the Council's Website. Members of the public are informed that if they attend this meeting their images and speech may be captured by the recording equipment used for the Webcast and may also be stored electronically and accessible through the Council's Website.

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To obtain further information or a copy of this agenda contact Nichola Garner, Committee & Appellate Officer on Worcester (01905) 766626 or Kidderminster (01562) 822511 (Ext 6626) or minicom: Worcester (01905) 766399 email: [ngarner2@worcestershire.gov.uk](mailto:ngarner2@worcestershire.gov.uk)

All the above reports and supporting information can be accessed via the Council's website.

Date of Issue: Tuesday, 12 July 2016

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**CABINET**  
**21 July 2016****BALANCED SCORECARD – FUTUREFIT PERFORMANCE  
AND CORPORATE RISK UPDATE**

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**Relevant Cabinet Member**

Mr A Roberts

**Relevant Officer**

Interim Director of Commercial and Change

**Recommendation**

- 1. The Cabinet Member with Responsibility for Transformation and Commissioning recommends that Cabinet:**
  - (a) notes the latest update of the Corporate Balanced Scorecard for Quarter Four 2015/16, and considers actions being taken to improve performance for the one indicator newly rated 'red';**
  - (b) notes the latest refresh of the Corporate Risk Register including actions to mitigate the risk that is rated 'red'.**

**Background**

2. The Corporate Balanced Scorecard is the means of understanding progress against the Council's "FutureFit" Corporate Plan. The Scorecard contains a range of indicators linked to key priorities and themes. Many measures are long-term and may be affected by a wide range of factors, some of which are outside the direct control of the Council.
3. The attached Appendix contains an overview of performance for Quarter Four 2015/16. Currently there are 44 indicators reported in the Scorecard. 22 of these are rated 'green' representing good performance or progress, and 9 are rated as 'red'.
4. The Corporate Risk Register provides a mechanism for collating and reporting strategic risks that could affect the delivery of corporate objectives. Each risk listed on the Corporate Risk Register is monitored by Directorates and reported through the corporate process to provide assurance on the adequacy of arrangements to mitigate the risks.
5. The Appendix provides an overview of the Corporate Risk Register for Quarter Four 2015/16 including the status of individual risks. One risk continues to be rated as 'red':
  - demographic changes lead to changed demand for services.

Detail about the actions to address this risk is contained in the Appendix.

6. Proposals have now been worked up for a more streamlined approach to recording risks for the Council. This will enable us to capture risks at a more detailed, granular level and to view these risks more easily across the organisation as a whole.

### **Legal, Financial and HR Implications**

7. Any Legal, Financial or HR implications arising from the performance reported here will be addressed as part of the programme of work on those specific areas. The Council's risk management processes include a focus on specific Legal, Financial and HR risks arising from its work. These risks and the action to address them are detailed in risk registers held across the organisation.

### **Privacy Impact Assessment**

8. There are no Privacy implications from this report.

### **Public Health, Equality and Diversity Implications**

9. Any Equality and Diversity implications arising from the performance reported here will be addressed as part of the programme of work on those specific areas. No specific public health implications have been identified.

### **Supporting Information**

- Appendix - Quarter Four 2015/16 Balanced Scorecard Performance Summary Dashboard Report and Corporate Risk Dashboard

### **Contact Points**

#### County Council Contact Points

County Council: 01905 763763  
Worcestershire Hub: 01905 765765  
Email: [worcestershirehub@worcestershire.gov.uk](mailto:worcestershirehub@worcestershire.gov.uk)

#### Specific Contact Points for this report

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(01905) 846020  
Email: [pbishop@worcestershire.gov.uk](mailto:pbishop@worcestershire.gov.uk)

Tony Leak, Management Information and Analytics Manager  
(01905) 728591  
Email: [tleak@worcestershire.gov.uk](mailto:tleak@worcestershire.gov.uk)

### **Background Papers**

In the opinion of the proper officer (in this case the Interim Director of Commercial and Change) there are no background papers relating to the subject matter of this report.

# CABINET BALANCED SCORECARD FUTUREFIT UPDATE

## Highlights from the last quarter

Q4 2015/16



Percentage of pupils who achieve 5 A\*-C at GCSE has improved from no status to green and is significantly above national average.



Debtor Days - has deteriorated from green to amber. As at Quarter 4 15/16 there were five blocked debts totaling over £1.7m. This combined with the reducing total value of debts raised by WCC has contributed to the debtor days target not being achieved in Quarter 4 2015/16.

Sickness rates - has improved from red to amber. The 2015/16 sickness outturn is 8.24 average days. It is rated Amber because it is within the 20% tolerance of the target. This is better than was anticipated (it was predicted to be 8.44 at Q3 15/16) because of lower actual absences during Q4 15/16. All Directorates are showing an 'Improving' Direction of Travel compared to Q3 15/16. The Directorate with highest levels of sickness is DASH at 11.46 average days overall (compared to 10.51 in 2014/15).



The percentage of Looked After Children adopted is Red (previously No Status). Although the number of adoptions fell, there was an increase in the number of children placed with a family in preparation for adoption.

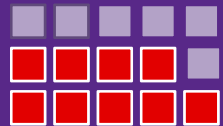
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40 performance indicators have not changed assessment since last quarter.

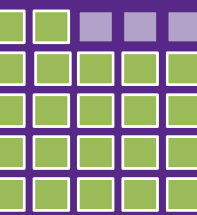
## Q4 2015/16 Performance Summary



### Q4 15/16



9 RED

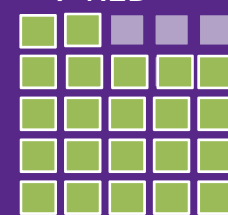


22 GREEN

### Q3 15/16

















9 RED



22 GREEN









\* Grey represents indicators that do not have a RAG assessment due to no target having been set.

# OVERVIEW: Q4 2015/16 GREEN INDICATORS

Area of Focus	Corporate Performance Indicator	Movement from previous rating
Open For business	People on out of work benefits- percentage of residents aged 16-64 on out of work benefits in Worcestershire	
	Condition of roads	
	Economic growth- Worcestershire Gross Value Added (GVA) (local target)	
	Economic growth- Percentage of England GVA contributed by Worcestershire (National comparator indicator)	
	16-24 year old Job Seekers Allowance claimants	
	Percentage of working age adults in employment	
Children and Families	Children Adopted within 18 months	
	Children with a child protection plan	
	Percentage of pupils who achieve 5 A*-C at GCSE (previously no status)	
	16-18 year olds who are NEET	
Health and Wellbeing	People who say their social care services made them feel safe and secure	
	Residents aged 65 or more receiving social care services	
	Service users who say they have control over their lives	
	Differences in life expectancy - Males	



# Q4 2015/16 GREEN INDICATORS CONTINUED

Area of Focus	Corporate Performance Indicator	Movement from previous rating
Finance	The ratio of debt financing costs to the Council's net budget	
	Expected budget position at end of financial year - Forecast Outturn (April to March) (Revenue)	
	Council Tax- Below the average Band D Council Tax	
	Creditor days- Average number of days to pay suppliers invoices	
	Financial savings achieved (Future Fit)	
Internal Business	Employees - Actual Full Time Equivalentents (FTE)	
Customer	Residents who say they can influence decisions	
	Satisfaction with County Council as measured through Viewpoint survey	



# POSITIVE PROGRESS: CHILDREN & FAMILIES

## PERCENTAGE OF PUPILS WHO ACHIEVE 5 A\*-C AT GCSE LEVEL HIGHER = BETTER

The number of pupils achieving 5 or more A\*-C or equivalent including English and Math's at KS4 as a percentage of the number of pupils at the end of KS4.

### 2014/15

60.7%



### WHY HAS PERFORMANCE IMPROVED?

- The percentage of pupils achieving 5 A\*-C at GCSE including English and Math's has increased by 2.2% from 58.5% in 2013/14 to 60.7% in 2014/15.
- Final results were published in January 2016 - until then the indicator was rated no status.
- There was a change in methodology in 2013/14 which meant that results fell nationally. Worcestershire is significantly above the national average (53.8%) and above average against our statistical neighbours (57.9%).
- The 2014/15 target was set at the national result of 54% in 2013/14.












### SUCCESS FACTORS

- Nearly nine out of ten of our schools are judged by Ofsted to be good or outstanding and this is reflected in the examination outcomes.
- Schools have continuously improved teaching and learning and the targeting of students on the borderline of attaining the benchmark.

### FUTURE ACTIVITY

- In the future the benchmark figures change to Attainment and Progress 8 - (as their name suggests these indicators measure attainment and progress for a student's best eight subjects).
- It is important that schools are able to demonstrate excellent attainment and progress against these new measures

# OVERVIEW: Q4 2015/16 RED INDICATORS

Area of Focus	Corporate Performance Indicator	Movement from previous rating
Open for Business	<u>Satisfaction with condition of roads -</u> Satisfaction rose to 35% in 2015 but was below the high point of 42% in 2012.	
	<u>Reduce household waste collected per head -</u> Levels of waste collected are still above the long-term low in 2011/12 linked to the economic downturn.	
	<u>New businesses surviving for 3 years or more - Percentage point difference Worcestershire compared to England (National comparator indicator) -</u> Performance has remained steady and above the national average but as the England rate has improved the gap has narrowed.	
	<u>Percentage of businesses surviving for three years or more in Worcestershire (local target) -</u> The latest available four year average is 61.2%, though for the latest available year the rate was 63.2%.	
Children and Families	<u>The proportion of Looked After Children per 10,000 -</u> The number of looked after children increased to just over 700 during the year	
	<u>The percentage of Looked After Children adopted (previously no status) -</u> See following slide for details	
The Environment	<u>Satisfaction with the local area as a place to live -</u> Since 2010, there has been a reduction from 85% satisfaction to 82% satisfaction.	
Health and Wellbeing	<u>Older people funded in permanent care home placements -</u> Places purchased reduced by 30 which was below the target reduction of 50.	
Learning and Growth	<u>% of Staff Appraisals completed (SRDs) -</u> At year end, 77% of staff appraisals had been completed.	

# INDICATORS TO WATCH



The following indicator is reported by exception following a performance update in Q4 2015/16 because performance is now RED (below target).



## CHILDREN AND FAMILIES

The percentage of Looked After Children adopted

*(previously no status)*



# CHILDREN & FAMILIES

## THE PERCENTAGE OF LOOKED AFTER CHILDREN ADOPTED

HIGHER = BETTER

The percentage of Looked After Children adopted as a proportion of children looked after for 6 months.

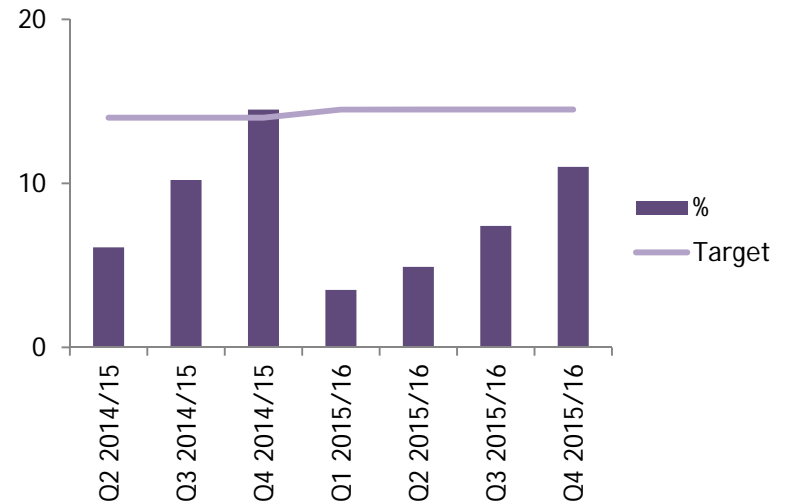
### Q4 2015/16

11%



#### WHY HAS PERFORMANCE DETERIORATED?

- Underlying performance on adoptions remains good.
- Adoptions in 2014/15 were unusually high because of successful work targeted at children with complex needs who had been looked after for some time.
- Adoptions in 2015/16 were at a good level but below the exceptional level of the previous year.



### MITIGATING ACTIONS

- Although the number of adoptions fell, there was an increase in the number of children placed with a family in preparation for adoption - from 44 to 52. This will impact in 2016/17. At the end of the year 35 children were placed but not yet adopted.
- Provisional figures for children adopted as a % of all children ceasing to be looked after are in line with last year's performance and the national average.

### WHAT NEXT?

- A new Permanence Planning process will be introduced during 2016/17, which should improve performance further.
- Continue to advocate for more ambitious plans for adoption e.g. older children, children with additional needs.

## Overview of Risk Status:

- The status of risks in the Corporate Risk Register has not changed between October 2015 and April 2016
- Risks are actively managed and action to mitigate all corporate risks is reviewed regularly
- One risk continues to be rated as red - “demographic changes lead to changed demand for services”. There are significant pressures on Council services because of demographic factors such as the ageing population. As part of the Corporate Strategy Planning process last year it was therefore agreed that Demand Management (e.g. prevention services) would be a major area of focus for the Council.

# CORPORATE RISK PROFILE

A Corporate Risk is a risk that has an impact across all areas of the Council such that it could prevent the Council delivering its corporate priorities. There are currently ten Corporate Risks - nine are RAG-rated as amber and one is RAG-rated as red.



**Corporate Risk 1:** Failure to maintain business as usual / appropriate levels of service at the same time as transformation



**Corporate Risk 2:** Failure to deliver financial savings identified in Medium Term Financial Plan



**Corporate Risk 3:** Failure to deliver a major project leading to increased costs, reputational damage to the Council and/or failure to realise savings



**Corporate Risk 4:** Serious harm or death due to a failure on the part of the Council



**Corporate Risk 5:** Failure to comply with legislation and statutory duties

# CORPORATE RISK PROFILE

A Corporate Risk is a risk that has an impact across all areas of the Council such that it could prevent the Council delivering its corporate priorities. There are currently ten Corporate Risks - nine are RAG-rated as amber and one is RAG-rated as red.



**Corporate Risk 6:** Failure to effectively store, manage and process information and maintain the security of the personal data we hold, (or our partner agencies and commissioned providers hold on our behalf) in compliance with the Data Protection Act



**Corporate Risk 7:** Demographic changes lead to changed demand for services



**Corporate Risk 8:** Failure to effectively manage the Council's premises



**Corporate Risk 9:** Ineffective Emergency Response arrangements



**Corporate Risk 10:** Ineffective Business Continuity arrangements



# CORPORATE RISK

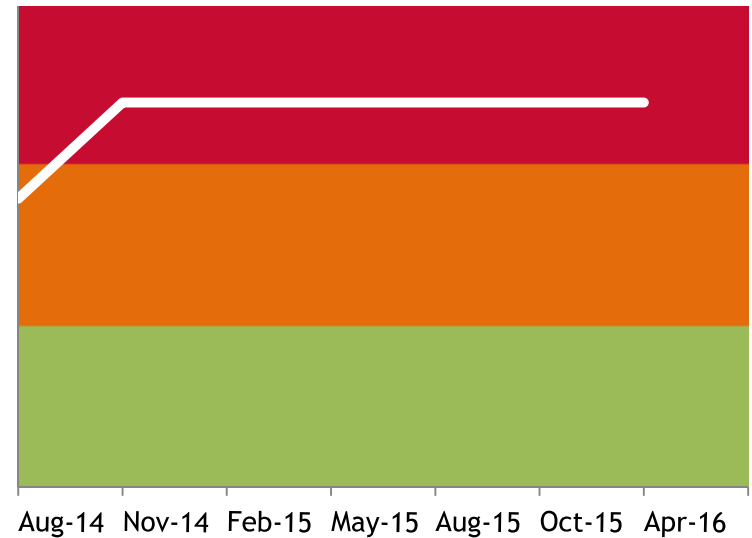
REMAINS RED SINCE LAST REPORT

## DEMOGRAPHIC CHANGES LEAD TO CHANGED DEMAND FOR SERVICES

Q4 2015/16

### WHY IS THE RISK RED?

- The changing demographic profile including an ageing population and changes to the needs of children and families is a challenge to the resources available to the Council. Work is underway but at the moment the risk remains rated as 'red'.



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### MITIGATING ACTIONS

- Demand management has been identified as a major theme for the Council and a number of workstreams have been put in place. This was also an area of focus for the recent Peer Review who endorsed the direction of travel and made some helpful suggestions
- Forecasting work to identify and understand future pressures is nearing completion
- Work is being led at Directorate level to mitigate pressures e.g. through the Family Front Door and Connecting Families projects linked to Children's services
- Cross-cutting workstreams are in place e.g. community resilience
- Work is being undertaken to look at influencing behaviours
- Council agreement to implement the Government driven 2% Council Tax precept for adult social care
- Digital Strategy implementation to help manage demand e.g. Your Life Your Choice.

### WHAT NEXT?

- Undertake detailed modelling for high demand areas
- Implement Family Front Door and embed new processes
- Continue to raise profile of volunteering e.g. November event
- Increase scope and usage of Your Life Your Choice site.

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**CABINET**  
**21 July 2016****WEST MERCIA ENERGY – GOVERNANCE ISSUES**

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**Relevant Cabinet Member**

Mr A Blagg

**Relevant Officers**

Chief Executive

Chief Financial Officer

**Recommendation**

**1. The Cabinet Member with Responsibility for Environment recommends that Cabinet:**

- (a) notes the discussions taking place between the member authorities of West Mercia Energy;**
- (b) agrees that the current governance arrangements for West Mercia Energy may be amended in line with the report; and**
- (c) authorises the Head of Legal and Democratic Services to finalise and execute amendments to the governance arrangements in consultation with the Chief Financial Officer.**

**Background**

**2.** Worcestershire County Council, Herefordshire, Shropshire and Telford & Wrekin Councils have for many years been constituent members of a Joint Committee undertaking procurement activity. This business was originally called West Mercia Supplies, but following the sale of the stationery supplies business it has been renamed West Mercia Energy (WME). Each authority has 2 votes on the WME joint committee.

**3.** There have been discussions between the constituent authorities regarding the future governance of the Joint Committee. It is proposed to update the main agreement for WME between the constituent authorities, together with the related financial regulations, contract standing orders and scheme of delegation.

**4.** Discussions are ongoing, and it is anticipated that the new governance arrangements be considered by the WME joint committee on 26 September 2016. September Cabinet will therefore be too late to consider matters, and the report is brought to the July meeting, acknowledging that some of the details may change between now and the WME meeting.

**5.** It is proposed that Shropshire Council continues as the lead authority to employ staff and hold property on behalf of the constituent authorities of WME. The lead

authority appoints the Secretary and Treasurer to the WME joint committee and it is proposed to clarify their specific responsibilities.

4. The main governance changes currently proposed to the main agreement are:

- to move from a fixed-term life (extendable by agreement) to an ongoing commitment, with a restricted ability for a constituent authority to terminate their participation and withdraw from WME
- greater clarity on access to information provisions to ensure the due circulation of reports and minutes. Meetings of the WME joint committee will be open to the public unless it moves into private session to deal with exempt material as permitted by the legislation
- the lead authority's Code of Conduct will apply in respect of declarations of interest at WME joint committee meetings
- the WME joint committee will adopt Strategic Policies necessary for the proper operation of WME
- decisions of the joint committee will be subject to scrutiny by the constituent authorities and its decisions can also be called-in within each constituent authority, using their own respective mechanisms. Any call-in must take be exercised by 5pm on the 5<sup>th</sup> working day after the decision is published, and can only be in relation to a decision or action affecting the constituent authority whose membership wishes to call it in. The call-in is then dealt with by the constituent authority following its own Scrutiny processes
- the constituent authorities may jointly and unanimously agree to discontinue WME and its assets shall be distributed fairly and reasonably between them
- no authority can withdraw from WME during the term of any Key Contract with a Utility Supplier
- otherwise, an authority can give at least 12 months' notice to withdraw but withdrawal will only take place on the expiry of any agreements with Utility Suppliers to which that authority is a party. The exiting authority will remain liable for an equal share of liabilities incurred up to the point of termination and will not receive a share of the WME assets.

6. WME have typically continued to delivered good levels of dividend following the sale of the stationery supplies business as securing low rates for utilities. Whilst the market for energy has changed significantly over the recent years and will continue to change in the future, appropriate business planning is undertaken to secure the organisations long term future as a going concern and this is been confirmed by its External Auditors. The County Council remains committed to its work alongside Partners and West Mercia Energy to continue to secure the best deal for the public sector with regard to procuring its energy. The tone of the changes is meant to confirm the confidence that Partners have in the West Mercia Energy Business and in each other.

6. No changes are required to the County Council's Financial Regulations as a result of this.

### **Legal, Financial and HR Implications**

7. The legal changes are addressed above. There are no further immediate financial implications as a result of these changes as the County Council will

continue to carry its share of any net financial liabilities at any point of exit from the existing arrangements.

### **Privacy Impact Assessment**

8. There are no Privacy implications from this report.

### **Equality and Diversity and Public Health Implications**

9. There are no implications.

### **Contact Points**

#### County Council Contact Points

County Council: 01905 763763

Worcestershire Hub: 01905 765765

Email: [worcestershirehub@worcestershire.gov.uk](mailto:worcestershirehub@worcestershire.gov.uk)

#### Specific Contact Points for this report

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### **Background Papers**

In the opinion of the proper officer (in this case the Chief Financial Officer) there are no background papers relating to the subject matter of this report.

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