

## Corporate and Communities Overview and Scrutiny Panel Tuesday, 3 September 2019, County Hall Worcester - 1.00 pm

### Present:

#### Minutes

Mr A D Kent (Chairman), Mrs M A Rayner (Vice Chairman), Mr G R Brookes, Mr R J Morris, Mr A Stafford and Mr R M Udall

### Also attended:

Ms K J May, Cabinet Member with responsibility for Transformation and Commissioning

Andrew Spice (Director of Commercial & Commissioning), Richard Taylor (Head of HR & OD), Steph Simcox (Head of Strategic Infrastructure Finance and Financial Recovery), Sandy Bannister (Corporate Equality and Diversity Manager), David Griffiths (Head of Commercial), Samantha Morris (Scrutiny Co-ordinator) and Alison Spall (Overview and Scrutiny)

### Available papers:

The Members had before them:

A. The Agenda papers (previously circulated) (A copy of document A will be attached to the signed Minutes).

#### **235 Apologies and Welcome**

Apologies were received from Mrs A T Hingley, Prof J W Raine and Mrs L C Hodgson.

#### **236 Declarations of Interest and of any Party Whip**

None.

#### **237 Public Participation**

None.

#### **238 Confirmation of the Minutes of the Previous Meetings**

The Minutes of the Meetings held on 9 July and 16 July 2019 were agreed as a correct record and signed by the Chairman.

#### **239 Employment Policies and**

The Panel received a report and presentation from the Head of Human Resources and Organisational Development (H of HR&OD) which provided details of the

## Procedures - Bullying and Harassment

County Council's Employment Policy and Procedure relating to bullying and harassment. The key issues highlighted were:

- The Bullying and Harassment Policy had been introduced in September 2018 as part of a raft of new core employment policies. In keeping with the ACAS Code of Practice on Discipline and Grievances, a separate policy had been developed for bullying and harassment, whereas previously, these issues had been dealt with through the Council's grievance procedures.
- The importance of the Council's statement of commitment which set out a clear, strong message in simple language which was easy to understand.
- The Policy outlined clear definitions and examples of behaviour that might constitute bullying or harassment. It also set out sources of support for employees; ways in which a complaint could be taken forward and the potential consequences of any action.
- The employment policies were easily accessible with clear signposting from 'Our Space' (the Council's intranet).
- The results of a recent in-house Pulse survey, completed by about a third of staff, showed that 74% of respondents indicated that they would 'strongly agree' or 'tend to agree' that they would feel confident to raise concerns about harassment at work.
- The H of HR&OD reported that at a previous Panel meeting, he had indicated that he would also report the results of a Trade Union survey. He had, however, discovered that this survey related to workplace violence and therefore not directly relevant to the Panel's discussions.
- In response to a Member's question, it was confirmed that violence was covered under the gross misconduct disciplinary procedure.

The Corporate Equality and Diversity Manager (CE&DM) advised that she was keen to put together an e-learning module to compliment the Bullying and Harassment Policy. This would include background information and examples of scenarios, detail sources of support for employees receiving or witnessing bullying or harassment and demonstrate to employees the importance of this issue and reinforce an appropriate organisational culture. Occasionally, the CD&EM would also work informally with a team of employees, where it

was felt the culture was not as it should be. The H of HR&OD stressed that wherever possible, issues would always be resolved at an informal stage.

During the ensuing discussion, the following points were made:

- A question was asked about the support available to staff who were accused of bullying or harassment, before it was determined whether they were guilty. The H of HR&OD acknowledged that it was an anxious time for both employees involved and managers had a responsibility to support both employees through this process. If necessary, they could suspend an employee if this was deemed appropriate, but the HR team always aimed to ensure that the matter was dealt with as quickly as possible to reduce stress as much as possible.
- A Member enquired about what a member of staff should do if they witnessed bullying or harassment. The H of HR&OD advised that staff were always encouraged in these circumstances to talk to their Manager, or the HR team.
- The issue of bullying and harassment by County Councillors was raised, in particular whether there was appropriate guidance for staff as to where to seek advice in such circumstances. The H of HR&OD advised that although the Monitoring Officer was responsible for dealing with any such incidences, he would ensure that signposting for employees was included in the FAQ's section on the website.
- A Member queried how many cases were currently being dealt with through the bullying and harassment procedures. The H of HR&OD advised that whilst three cases had been raised in the last year, all three had later been determined to be grievances and had been dealt with as such.
- The CE&DM highlighted the importance of the Policy recognising and being clear as to what bullying and harassment was, as well as what it was not. She stressed, for instance, that robust performance management was not bullying.
- In response to a question, it was confirmed that new Managers received appropriate training on the employment policies. It was also highlighted that Equality in the Workplace was covered in the induction course for all new staff.

**240 Performance and In-Year Budget Monitoring**

The Chairman thanked the Officers for their contributions and commented that he felt the Panel had benefitted from their detailed examination of this Policy.

The Panel received details on performance and financial information for services relating to Corporate and Communities, specifically:

- Performance Information (PI) for Quarter 1 (April to June 2019)
- Financial Information on Revenue and Capital Budget monitoring for Quarter 1 2019/20.

The Director of Commercial and Commissioning provided an overview of the performance and financial data, indicating that it was generally a very positive performance with an improving set of services being operated within budget. He reminded the Panel that this data provided feedback to the Strategic Plan. He added that the data was not however a replication of the Balanced Scorecard, but instead, was in a much more detailed format, and used to identify specific areas which required improvements in performance.

The Director guided the Panel through some of the PI areas, which required improvement. The Panel also focused attention on other areas of interest. A summary of deliberations is shown below:

- Death registration and still birth registration appointments within 2 working days were currently rated as 'red' and deteriorating. The Director explained that customers were nearly always offered an appointment within the required timeframe, but that they did not always accept the appointment, as the timing did not necessarily meet with their preferences. Also, occasionally the delayed receipt of medical documentation could slow the process. Members were very concerned that this PI had deteriorated over the last two quarters and asked what was being done to address the issue. The Panel was advised that there was no specific underlying cause, and that staff were continuing to offer as many alternative appointments as possible to ensure an appointment within the timeframe could be achieved. It was acknowledged that certain times of the day were likely to be less popular than others for relatives and it was suggested that the staffing pattern may need to be more reflective of

the service demands. The Director suggested that he would arrange for a 'deep dive' to be carried out to look at the reasons for the deterioration. This was agreed with a report back to the Panel at its next meeting in November.

- Stage 2 Children's Social Care complaints in 65 days. The Director explained that there had been some improvement in this area, but an issue which impacted this indicator was that recruitment of the Independent Reviewing Officers with sufficient expertise to deal with these cases was a challenge.
- Stage 2 Corporate complaints in 25 days. This area was rated as 'red' and deteriorating. Members commented that the latest data provided in the graph was from March 2018. The Director advised that the performance trend for the complaints data was currently very static, but that he would look at providing more recent data.
- The Panel was interested in finding out more detailed information about the Council's Complaints procedures in general, including the range of statutory targets and how well they were being met. The Director advised that there was a wealth of detailed data available on complaints, and compliments, which Members could explore. The Panel requested that a detailed report be produced covering the Statutory Complaints Procedure, with an update on compliments and complaints received for all Directorates, for the December Panel meeting
- Traffic across social media channels was an improving PI which, Members were keen to assist with in the wider dissemination of Council information through tweets and such like. Following a request, the Director confirmed he would arrange for the Communications Team to carry out some training on social media for any interested members.
- A member raised the issue of how the Council monitored social media for inappropriate activity. The Director agreed to report back to the Panel on the Council's Policy.
- The Staff turnover rates were discussed, and the Panel was advised that the peak in March 2019 was due to the voluntary redundancy programme.
- The Panel noted that there had been a 30% reduction in agency spend in the past year, due to a number of factors, including the recruitment of permanent social care staff (currently at a level of 85%). In response to a Member's query, the

**241 Commissioning including the Development of the Procurement Strategy**

Director assured the Panel that Agency spend continued to be a key focus and was subject to constant monitoring and a 'deep dive' to ensure best value. He stressed that some agency spend was crucial and that there would always be a need for some short-term agency spend on front line staff. Recently, the term of a few roles had been stretched pending the outcome of the Organisational Review. The Director highlighted that where it was essential to use agency staff, the Council obtained very competitive rates through a competitive process

- Libraries issues, E books, E audio books and E magazines – The Director advised the Panel that the E issues had risen by over 40% compared to the previous year. He praised this service which was simple to use and was broadening the appeal of libraries to new users.

The Head of Finance reported that the financial position for this Panel for Quarter 1 was showing a positive and improving position. There were a few areas of minor underspend, including savings achieved on the Place Partnership Limited contract and Quarter 2 was on track at the present time

The Panel was advised that 'content and communications' was some one-off work relating to professional advice in respect of children's services complaints.

In terms of the Communities budget, there were no significant forecasted variances to report. The libraries savings were on track to be delivered.

The Head of Finance and her team were praised for the consistent performance and well-managed budget.

The Panel received a report and presentation from the Director which provided an update on the Council's commissioning processes including the development of the Procurement Strategy. The following were the key areas covered:

- The strategic vision which set out the Council's business approach and which drove forward commercial excellence
- The development of the Procurement strategy to enable a more efficient and effective approach to contract management.
- The Strategy to develop the skills of the current

employees, which was being realised with some of the Procurement Team having now achieved the level 4 qualification. This investment in staff, blending qualifications, alongside practical experience was deemed to be the best way forward to ensure individual employees' personal development and the development of the Service. The CMR advised that it would also help with staff retention in the longer term.

- As well as their Team Manager, the staff in the Procurement Team were also being supported in their roles by a few external fully qualified and experienced practitioners who were being used on a short term basis to bolster the Service.
- The Panel was informed that 12 months' notice had been given on the Civica contract. The Director outlined some of the issues, which would be considered in developing the Strategy for managing customers. It was agreed that the Director would advise in due course, how the Panel could be involved in the development of this new Strategy.

The Head of Commercial provided a demonstration of the Power BI management tool which captured every contract on the system and allowed detailed data analysis. Currently, the dashboard was being used to report on issues including contract liquidity and spend.

- The Panel was advised that the system was driven by spend and provided information which posed questions rather than providing answers. It would allow systems to be more efficient and effective and enabled a challenge of spending.
- All contracting was now carried out on an electronic basis through the Intend system, with contractors being required to register and submit bids electronically.
- The Intend system currently had 845 contracts and allowed detailed analysis of spend for instance by category management or for a particular time period.
- In response to a question on performance management, the Head of Commercial advised that KPI data on public health was the first to be populated on the system and would enable assessments of value for money on the public health contracts to be carried out next year, when performance graphs and trends would become available.
- The Council's policy of no payment of invoices

**242 Work Programme 2018-19**

without a purchase order was eliminating bad practice

- Due to much tighter control, the amount of spend on purchase cards had reduced significantly since last year, from £2.6m to £1m.

The Panel were very impressed with the new system, its capabilities and future potential. They could see how it would transform the Council's procurement work, allowing Officers to view trends, compare performance and have all the current data readily available to inform their work.

Further discussion took place, including the points shown below:

- The Director highlighted that contract liquidity was the key focus, as there was a window of opportunity to make changes during the re-commissioning process. During this coming year, there were many contracts which would become liquid, some of which, such as the 0-19 contract were long length contracts of significant value.
- A Member asked how the Panel could most effectively play a role in the scrutinising the contract spend. A discussion took place about possible ways to involve the Panel and the Director agreed to consider what the best approach might be.

The Chairman commented that he was very pleased with the progress that had been made in this area and he thanked the Officers involved for their hard work and for the informative demonstration.

It was agreed that the Panel would be provided with an update report on Commissioning and the continuing development of the Procurement Strategy at its March meeting.

The Panel received details of their current work programme for review.

Following a suggestion from a Panel member, it was agreed that the Gypsy service would be added to the work programme.

The meeting ended at 3.15 pm

Chairman .....

