

## Corporate and Communities Overview and Scrutiny Panel Wednesday, 9 September 2020, Online only - 10.00 am

### Present:

#### Minutes

Mr A D Kent (Chairman), Mrs M A Rayner (Vice Chairman), Mr G R Brookes, Mr R J Morris, Prof J W Raine, Ms C M Stalker and Mr A Stafford

### Also attended:

Mrs L C Hodgson, Cabinet Member with responsibility for Communities

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

Andrew Spice (Strategic Director of Commercial and Change),

Hannah Needham (Assistant Director for Communities),

Jonathan Fitzgerald-Guy (Assistant Director

Transformation and Commercial),

Steph Simcox (Head of Finance),

Samantha Morris (Scrutiny Co-ordinator)

Alison Spall (Overview and Scrutiny Officer,)

### Available Papers

The members had before them:

- A. The Agenda papers (previously circulated);
- B. The Minutes of the Meeting held on 21 July 2020 (previously circulated).

(Copies of documents A and B will be attached to the signed Minutes).

### 281 Apologies and Welcome

Apologies were received from Councillors Mr K D Daisley and Mrs A T Hingley.

### 282 Declarations of Interest and of any Party Whip

None

### 283 Public Participation

None

### 284 Confirmation of the Minutes of the Previous Meeting

The Minutes of the Meeting held on 21 July 2020 were agreed as a correct record and signed by the Chairman.

**285 Freedom of Information and Subject Access Request processes and Council Compliance with Data Protection legislation**

The Panel received a report which set out the processes used by the Council to manage requests for information made under both Freedom of Information (FOI) and Data Protection (DP) legislation and provided an overview on how the Council complied with DP legislation, primarily the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

The Strategic Director of Commercial and Change (Strategic Director) provided an overview of the key areas, including what constituted a valid FOI or Environmental Information (EI) request, response timescales, charges and the internal management processes including the use of the request management system, Veritas and also the process for handling Subject Access Requests (SAR's).

The Panel was informed that the number of requests received, their complexity and scope were increasing each year and the impact of the Data Protection Regulations in 2018 had accelerated this trend.

Members raised a number of issues and questions, which the Strategic Director responded to as follows:

- In respect of charges made for responding to FOI requests over an appropriate limit, the Panel was informed these were only made occasionally. The Strategic Director agreed to provide the Panel with details about the level and frequency of charges that have been made.
- In response to a question about whether information was publicly available about the types of requests already responded to, so that the public could check whether the same or similar request had already been made, the Strategic Director confirmed he would check where the requests and responses were published and how the public gained access or were signposted to these.
- With reference to 2020-21 (Q1) information, it was questioned why for Children's Services/WCF there had been a reduction in the number of requests completed on time from 86.7% (2019/20) to 71.1%. The Strategic Director agreed to check the reasons for this including whether it related to COVID-19.
- Rather than recording the actual time taken to complete requests which could be difficult to do when several people were involved in responses, requests were categorised into 3 categories; less

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than 5 hours, between 5 and 15 hours and over 15 hours. Members felt there would be benefit from being able to be clearer on actual time taken to deal with requests for resourcing and evaluation purposes and suggested that a fourth category of less than an hour might be helpful for those simple requests that were easily and quickly dealt with. This would be given consideration as to whether this would be helpful going forward.

- The Strategic Director confirmed that the Council received requests that were also being issued to a large number of local authorities or other public bodies. He explained that they liaised with colleagues in other authorities to keep abreast of current happenings.
- The Panel was informed that work was ongoing with partner authorities to develop protocols to look to reducing the very labour-intensive process that was currently involved in ensuring that information sent in response to SAR's was appropriately redacted. The Strategic Director acknowledged that an automated system needed to be developed to aid this process and was currently being researched.
- The Panel was advised that areas of learning were picked up when there was an influx of similar enquiries or when a new service was developed. Signposting was added to the website to try to guide people more effectively to locate the information without having to submit an SAR.
- In response to the Panel's request, FOI/SAR data would be incorporated into the quarterly Performance Monitoring report, so that Members could be better informed of the current situation.

The Chairman thanked the Strategic Director and his Team for a very comprehensive report, which had helped the Panel to gain a detailed understanding of the significant level of requests that the Council received, the complex nature of many of these requests and the labour intensive processes in place to ensure they were handled correctly. These processes were carried out at a significant cost to the Council and it was felt that with the use of automation where appropriate in the future, these costs could be reduced.

The Panel received a report on the Council's current commissioning arrangements including:

- An overview of best practice relating to insourcing
- An update on developments relating to the

## implications of COVID-19 on the Council's commercial activities

The Strategic Director explained that the Council was a commissioning organisation taking a strategic approach to ensure that the best performance was achieved for the most competitive price for the delivery of services.

In the commissioning process, all mechanisms of service delivery were considered, and a range of outcomes were possible. Many of the Council's outsourcing arrangements had continued to provide high quality, value for money services, however in recent times a few smaller services had been brought back in house. As a consequence, the Council had been required to review its approach to effective insourcing and to gain an understanding of the best practice in this area.

The report detailed the 4 key phases involved in this process and the considerations that the Council takes when undertaking effective insourcing programmes.

The Strategic Director also provided an update on the effect of COVID-19 on commercial activities affecting the Council, as well as suppliers and service providers to the Council. The Report detailed the time limited support which was made available to third party providers to ensure ongoing service continuity, which as restrictions lifted was withdrawn. The implications of the pandemic on the commercial forward plan were also set out, with details of action taken and the impact on major contracts due for renewal.

Members raised a number of questions which were responded to as follows:

- The Panel was assured that appropriate assessment, evaluation and monitoring was incorporated into the commissioning processes which had led to a re-assessment and a change of approach in respect of some contracts. The Assistant Director for Transformation and Commercial (Assistant Director) had a key responsibility for procurement and contract management and was closely monitoring the performance of contracts.
- The Assistant Director explained that he was working with the Assistant Director for IT and Digital on a portfolio of requirements to develop the IT approach.
- The Panel received an explanation of the category

management approach for the procurement of contracts and services; how this was currently being developed and the benefits for the Council going forward.

- The Assistant Director envisaged that in the future District Councils might be able to benefit from various tools and purchasing channels that the Council was acquiring. He also confirmed that social value was being factored into the calculations for the above.
- It was confirmed that the software Microsoft Power BI was currently being used by Public Health and that they were working together to ensure that the technological benefits were able to fully utilised.
- The IT team were praised for their recent achievements and performance. The Strategic Director responded to a question about the impact on these staff of being outsourced and then insourced again. The Panel was informed that the process had impacted staff in different ways depending on their stage of career and aspirations. All staff had benefitted from an upskilling process and it was important that this training was maintained. The Assistant Director was committed to developing the Team, much of which could be done in-house.
- Due to COVID-19, there had been a delay with the tendering of a number of key contracts, it was agreed that the Panel would be provided with details about whether these contracts had now expired and the potential impact on commercial benefit and the Council's Budget of this. The Strategic Director reassured the Panel that the Government legislation had allowed contracts to continue on the previous terms, meaning there would be a notional risk to losing value. Also, the Team was always seeking to ensure that best value was achieved in terms of performance and costs and was now able to revert to 'normal' activities having been heavily involved with pandemic related work in recent months.
- In respect of the Council's major contracts, such as Ringway, the Panel requested that details of these, including their associated timelines be provided to Members. The Panel was informed that there was work currently being carried out on the engagement process to ensure that when contracts were due for renewal, the preparation was in place to ensure an efficient and productive commissioning process was achieved.

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

The Chairman thanked the Team for all their efficient work in recent months.

The Panel received details on the performance and financial information for services relating to Corporate and Communities for Quarter 1 (April to June 2020).

**Performance Indicators**

The Chairman complemented the staff for all their efforts which had resulted in many indicators receiving a green RAG (Red, Amber, Green) rating. The Panel wished to focus discussions on some of the indicators which had a red or amber RAG rating.

- **Registration of Deaths within 5 days** – the Assistant Director of Communities explained that this was not an area of concern, services were now fully re-opened and there had only been a slight drop in performance. This performance level was still very good compared to neighbouring authorities and the national picture. The Cabinet Member with Responsibility for Communities praised the Team which had performed very well despite the restrictions of lockdown and the additional pressures they faced. There was also currently still a restriction on the use of some buildings for registration purposes.
- **Stage 2 Children’s Social Care Complaints in 65 days** – the Strategic Director indicated that there had been a modest improvement in the trend. Members appreciated the additional detail which had been provided but requested that the wording be improved on future reports to ensure members could understand the movement in complaints.
- **Employees, Actual Full Time Equivalents** – Members were confused by the term ‘deteriorating’ highlighted against this indicator. The Strategic Director explained that the number of full-time employees had risen when staff from Babcock and Civica had been brought back in house. He would ensure that the wording was altered to aid understanding.
- **Compliments** – Members offered their praise that 64 compliments had been received by the Council, mostly relating to Adult and Children’s Services. Most compliments were reflecting the standard of service received and positive staff attitude.

- **Sickness rates** – Members queried how the current sickness levels compared to the pre-COVID-19 situation. The Strategic Director advised that average sickness levels had reduced and there had been a significant reduction in short term sickness. The figures on long term sickness were indicating an increase, but more work was currently being done to ensure their accuracy. The Panel requested that the Head of Human Resources be invited to attend the next meeting to provide more detail and give further explanation. It was confirmed that the Council's figures were benchmarked against those of other local authorities.
- **Staff survey** – the Panel was informed that there had been over 2,000 responses to the recent staff survey with a response rate of over 70%. Most staff were largely content with working from home and also with the communications and contact they had received during lockdown. Full details would be reported at a later stage.
- **Cost of Agency Staff as a percentage of the total pay bill** – the Panel was informed that agency spend was kept as low as possible, but there were some interim roles and social care roles that were crucial and needed to be covered by agency staff. The spend levels were being monitored.
- **General PI's data**– Members asked that whenever there was a Red or Amber rating that further explanatory details be provided. In addition, if titles could be added to the graphs, that would be helpful.
- **Library visits** – The library re-opening schedule was on track. The Assistant Director highlighted that a Government announcement that day could have an impact on the use of libraries and specific details were awaited. She also drew members attention to a fire that had occurred at The Hive the previous week, but she was happy to report that it had now re-opened. There was no damage to stock, but work was being carried out to the Café which had suffered water damage.
- **Library issues – E books** – the Assistant Director advised that the Government had relaxed the publishing guidelines during lockdown allowing more books to be borrowed. Guidelines were awaited as to whether this would continue going forward. The Cabinet Member praised the Team for quickly establishing a platform to enable this to be put in place. It was confirmed that the Media

**288 Work Programme 2020-21**

- Team would continue to promote the E-services.
- **Countryside Standards achieved** – the Assistant Director advised that the percentage difference was very minor (2 or 3%). The Service was impacted by the weather and staff availability at times, but the standards were fairly consistent.

**Finance**

The Head of Finance reported that there was an overall underspend of £625k for CoACH and £527k for the Chief Executive’s Unit. There was little change between the end of Quarter 1 and the end of Period 4 (July). Quarter 2 finished at the end of September and would be reported to the November Panels. The Chairman praised the Directorates for these outcomes.

In respect of the variance of 7.1% for the Digital, IT and Customer Services, the Panel was informed that this related to a recharge for printing costs for internal customers, for which CoACH was picking up a disproportionate amount of the costs. The Head of Finance hoped this position would be rectified by Quarter 2.

The Panel was informed of the sources of external funding which had been obtained for the costs of COVID-19 and that the additional costs including IT, would be processed through a separate accounting process.

The Head of Finance confirmed that the Public Analyst budget was now being managed by Public Health, but in terms of Panel remits would remain as part of this Budget for scrutiny purposes.

The Panel reviewed its current work programme, which was being considered by Council the following day as part of the annual Scrutiny Work Programme.

The work programme was noted.

The meeting ended at 12.00 pm

Chairman .....