

PERFORMANCE PORTFOLIO DECISION RECORD

28 March 2008

The meeting commenced at 3.30 pm. in the Belle Vue Community Sports and Youth Centre, Kendal Road, Hartlepool

Present:

Councillor Pamela Hargreaves (Performance Portfolio Holder)

Officers: Wally Stagg, Organisational Development Manager
Stuart Langston, Health, Safety & Wellbeing Manager
Peter Turner, Principal Strategy Development Officer
Liz Crookston, Principal Strategy and Research Officer
Lisa Anderson, Research Officer
Sarah Bird, Democratic Services Officer

43. Review of Non Statutory Fees in the Registration Service *(Principal Strategy Development Officer)*

Type of decision

Non key.

Purpose of report

The purpose of the report is to request an increase in the locally set fees for non statutory services provided by the Register Office.

Issue(s) for consideration by Portfolio Holder

The Council in conjunction with Central Government, currently provides the statutory Registration Service based at the Register Office on Raby Road. The provision of statutory ceremonies for marriage and civil partnership in approved premises attract local non statutory fees.

At present non statutory services provided include naming and renewal of vows ceremonies which align with the statutory birth and marriage registration provision, as well as individual citizenship ceremonies and a nationality application checking service, both aligned to the statutory service provided on behalf of the Home Office.

Locally set non statutory registration service fees in Hartlepool are set to

recover the true cost of providing the individual services whilst ensuring that the services remain affordable to all; fees remain competitive both locally and nationally. data. This fee income is a significant element of the Authority's business plan.

There are five distinct groups of fees: marriages and civil partnerships in Approved Premises, including The Willows; alternative civil ceremonies; individual Citizenship ceremonies; Nationality Checking Service and Approval of Premises for Civil Marriage and Civil Partnerships.

It was proposed that most fees are increased between 2.5% & 5%.

The exceptions to this approach are outlined below:-

- ❖ A 3 year phased increase, was agreed at Performance Management Portfolio on 29/01/2007, and subject of an update at Performance Management Portfolio on 26/02/2007, for fees for midweek marriages in the Willows. The update report and recommendations agreed a phased increase in fees over a period of time. The increase of 14.6% was agreed to recover an increased proportion of the true cost of the service. Fees for ceremonies in The Willows are not set to recover the full true cost of the service but rather achieve a fair and reasonable balance in the market. This does not affect the statutory fee for a ceremony in the Register Office.
- ❖ New requirements by the Office of the Immigration Services Commissioner for mandatory continuous professional development for nationality advisors have significantly increased costs of providing the Nationality Checking Service. The proposed change in the format of Nationality Checking Service fees seeks to recover this increase in a fair and equitable manner by removing multiple application discounts. This is in line with a move made by Newcastle City Council's nationality checking service.
- ❖ In addition it is recommended that non refundable fees for Nationality Checking service are taken at the time of making appointment.
- ❖ A move to be able to provide a two tier system for certificate issue meeting the sometimes immediate needs for life event certificates for current legal needs and the less urgent needs of the family history customers can best be met with two fee levels. The recommended certificate issue proposal will guarantee all certificates in 5 working days at the statutory fee (currently £7.00) and an Express Same Day service for applications made before 2.00 pm for the statutory fee plus an additional local fee of £3.00.
- ❖ The current Marriage Act states that a marriage can only be legally arranged up to twelve months before the intended date but currently staff are being asked to make provisional bookings up to three years in advance. Maintaining this system is time consuming and as a result, it is proposed to introduce an advance booking system whereby all bookings made more than twelve months in advance, will pay a non-refundable booking fee of £15. This fee reflects the postage and administrative costs involved.

The income has reduced in recent years and a review is underway in order to address this. Setting fees at an appropriate level would help address the falling income.

The Portfolio Holder queried the £850 cost of the approval of premises for marriage and Civil Partnerships and it was established that this was a one off fee.

Decision

The Portfolio Holder approved the changes to non statutory fees from 1 April 2008 and financial procedures as outlined in section 3 and Appendix A of the report.

44. Occupational Health Services *(Health, Safety & Wellbeing Manager)*

Type of Decision

Non key.

Purpose of Report

The report is presented to inform the Portfolio Holder of the intention to procure a provider of occupational health services and seek Portfolio Holder's approval to letting the contract on a price/performance basis.

Issue(s) for consideration by Portfolio Holder

One of the Council's strategic objectives identifies that the Council will take a proactive approach to the mental, emotional, spiritual and physical health safety and general well being of all employees and members, through proactive professional advice and clear management responsibilities. In addition through its performance management system, the Council strives to reduce sickness levels. It also aims to provide attendance management systems that are transparent and supportive to employees who want to be at work and robust for those who do not. It is also committed to adjusting working arrangements to support individual needs wherever reasonable to do so.

The occupational health service provides health advice to managers and employees to ensure that any health conditions are not aggravated by the employee's work.

The current occupational health service provider which is well used by managers and employees is provided on a short term contract and it was proposed to procure the service on a longer term contract which will be subject to open competition through a tender process.

Initial informal investigations have shown that there are a large number of

potential suppliers in the marketplace. Due to the contract being a service related to health it is exempt from the requirements of the European Directive and consequently will not be advertised in the Official Journal of the European Union

An invitation for Expressions of Interest is to be advertised in the local press and a professional journal by the end of April. A pre-qualification questionnaire is to be used for the initial short listing purposes.

Organisations that are short listed will be invited to tender for the contract. It is anticipated that tender returns will be available for opening at the Contract Scrutiny Panel meeting on 30th June 2008.

The assessment criteria will be based upon the content of the submission and pay particular attention to the experience and competency of the provider as well as the proposed fees. The assessment criteria will be developed in accordance with appropriate procurement rules.

The Portfolio Holder asked whether she would be notified of the response and it was confirmed that she would. The current review of the Contract Scrutiny Panel would probably not affect the process as the tenders should be opened prior to any new processes implemented. The Health, Safety & Wellbeing Manager confirmed that all procurement procedures were being followed. He stated that the current temporary contract has proved successful and it was likely that a tender would be submitted by that provider.

Decision

The Portfolio Holder approved the planned procurement project and approved conducting the procurement exercise on the 50:50 price/performance basis proposed.

45. Corporate Equality and Diversity Scheme 2008 – 2011 (Organisational Development Manager)

Type of Decision

Non key.

Purpose of Report

The report is presented for the Portfolio Holder endorsement of the draft Corporate Equality and Diversity Scheme for 2008-11 and the action plan for achieving Level 4 of the Equality Standard for Local Government (BVPI2a) by March 2011.

Issues for consideration by Portfolio Holder

In order to meet with general and specific duties of Equality legislation, it is mandatory for the Authority to write its next strategic Equality & Diversity

Scheme as the current Race and Diversity Scheme expires in May 2008.

The Race and Diversity scheme was developed to incorporate all six strands and this was reinforced by the required Disability and Gender schemes being incorporated into it as an interim measure.

In December 2006, the Disability Equality Scheme was added as an addendum to the Corporate Race and Diversity Scheme and in April 2007, the Gender Equality Scheme was similarly developed as an addendum to the Corporate Race and Diversity Scheme. The Council's Corporate Race and Diversity Scheme 2005-2008 needs to be reviewed in the light of current legislation and codes of practice. The principle of a single Equality and Diversity Scheme that encompasses all diversity strands was consulted with diverse stakeholders through Talking with Communities, the All Ability forum and the LGBT forum. They have all agreed for the Council to have one scheme with specific action plan to reflect their separate needs.

The Diversity Steering Group (DSG) have considered how best to meet the legislative requirements to have Race, Disability and Gender schemes in one single scheme and have drafted an Equality and Diversity Scheme. It is proposed that as with previous draft schemes, this be endorsed by the Portfolio Holder prior to widespread consultation with the wider community with the final scheme being approved by Cabinet after the local elections.

The council is expected to declare itself as achieving level 3 of the Equality Standard in March 2008 and has set itself a target of achieving Level 4 by March 2011 and had already made significant progress progressing or completing the actions necessary to achieve Level 4.

The Portfolio Holder asked whether there were a number of diversity schemes and it was established that this review would bring addendums to the scheme to encompass all aspects. There was a consultation planned and then the final scheme would be endorsed by Cabinet.

Decision

The Portfolio Holder endorsed the draft Corporate Equality and Diversity Scheme 2008-11 prior to widespread consultation and endorsed the action plan for achieving level 4 of the Equality Standard for Local Government by March 2011.

46. Viewpoint – Citizen's Panel Results *(Principal Strategy and Research Officer)*

Purpose of Report

The report is to inform the Portfolio Holder of the results of the 22nd phase of Viewpoint, Hartlepool Borough Council's Citizen's Panel that was distributed in July 2007 and report on the use of past Viewpoint results.

Issues for consideration by the Portfolio Holder

Viewpoint, Hartlepool Borough Council's Citizen's Panel, is one of the ways that the Council consults and involves local people in the governance of Hartlepool. It is a statistically balanced panel of local people who receive questionnaires at regular intervals throughout the year, asking for their views on a variety of local issues facing the Council and Hartlepool as a whole.

Viewpoint's aim is to ensure that the Council listens to the community and involves local people in the Council's decision making process. Within this phase there were questions on:-

- ❖ Transport
- ❖ An annual report for the Council
- ❖ The Museum of Hartlepool
- ❖ Contacting the Council about Environmental Services
- ❖ Kerbside Collections

The results have been reported back to the relevant departments within the council and will be reported back to Viewpoint members via a regular newsletter. A copy of the overall report has been placed in the members' library, all public libraries across the Borough and on the Council's website.

The Portfolio Holder asked whether there had been any significant differences between the responses from this survey and the responses received from the Best Value Performance Indicator (BVPI) survey carried out in November 2006. It was reported that there were no significant differences between the Viewpoint survey results and the BVPI results. There had been a positive response to the Kerbside Collection questions about recycling but it was noted that the North area of the town tended to re-cycle less and the Portfolio Holder suggested that there should be more publicity to encourage recycling in that area. The Portfolio Holder noted that this Viewpoint report included some feedback from what has been done with previous Viewpoint results. The Portfolio Holder was informed that the Research department are trying to encourage departments to provide feedback informing Research what has happened as a result of Viewpoint on a regular basis. The Portfolio Holder was also told how there was some interesting feedback coming up in future Viewpoints and the Research Officer mentioned the Ringmaster Scheme as an example of this.

Decision

The Portfolio Holder noted the results of the survey.

47 Update On Criminal Record Bureau Checks For Elected Members (*Organisational Development Manager*)

Purpose of Report

The report provided an update on the current arrangements for undertaking

Criminal Record Bureau (CRB) checks on all Elected Members. It also included proposed actions to maintain that clearances are up to date.

Issues for Consideration by Portfolio Holder

Although the law does not require Elected Members to be CRB checked there are some specific roles where a check would be regarded as good practice e.g.

- ❖ 'mentoring' role of members currently under consideration by Children's Services Scrutiny Forum
- ❖ Corporate Parent
- ❖ Portfolio Holder for Children's Services
- ❖ School Governor
- ❖ Social Services Complaints Review Panel
- ❖ Representative on outside bodies which have clear links to vulnerable groups

As the roles undertaken by individual Elected Members may vary over time it is considered prudent to CRB check all Elected Members upon election to avoid subsequent delay and potential confusion about which Members have been checked. The Council also wished to reassure appropriate partner organisations, community groups and the public that Elected Members at Hartlepool Borough Council are routinely CRB checked.

At the meeting of Cabinet held on 30 April 2007, it was agreed that:-

- ❖ All current elected members, newly elected members and resident representations undertake a standard CRB check each term of office.
- ❖ The Chief Executive and the Monitoring Officer in his absence, be authorised to discuss identified traces and determine appropriate action.
- ❖ Assurances be provided publicly that a satisfactory CRB check had been undertaken only with the prior consent of individual Members and resident representatives.

At the meeting of Council held on 21 June 2007, Minute 23b refers, a motion was put and confirmed that Council:-

- ❖ Confirms its expectation that all elected members including elected Resident Representatives undertake CRB checks in accordance with the arrangements described and that the contents of para 5 of the reported be considered as a supplement to the Code of Conduct for Councillors

and

- ❖ Agreed a formal variation of the Code of Conduct to include a

requirement that the arrangements be incorporated within the Code and that the matter be referred to the Constitution committee for formulation of the necessary changes.

Elected Members have been asked to undertake CRB checks and to date there has been a positive response with 45 Members having gone through or are going through the process. Currently three Members have not undertaken a CRB check (two have not responded to requests to attend a session to complete the relevant documentation and the other Member has stated that a check will only be undertaken when clarity from the Standards Board is received).

The Portfolio Holder was updated that the Chief Solicitor had received notification only the previous day from the Standards Board that it is lawful to ask for CRB checks on Members and so this will be progressed.

The Portfolio Holder clarified that the protocol should be that any traces would be referred to the Chief Executive or in his absence, the appropriate Director for assessment regarding appropriate action.

Decision

The Portfolio Holder noted the report.

J A BROWN

CHIEF SOLICITOR

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3 April 2008**