

PERFORMANCE PORTFOLIO DECISION RECORD

27th June 2008

The meeting commenced at 3.30 p.m. in the Civic Centre, Hartlepool

Present:

Councillor Pamela Hargreaves (Performance Portfolio Holder)

Officers: Joanne Machers, Chief Personnel Officer
Andrew Aiken, Assistant Chief Executive
Dave Stubbs, Director of Neighbourhood Services
Graham Frankland, Head of Procurement, Property & Public Protection
Alistair Rae, Public Relations Manager,
Sylvia Pinkney, Consumer Services Manager
Liz Crookston, Principal Strategy and Research Officer
Sarah Bird, Democratic Services Officer

1. Staff Car Parking *(Director of Neighbourhood Services)*

Type of Decision

Non key.

Purpose of report

To recommend the regularisation of an anomaly in respect of staff car parking charges.

Items for consideration by Portfolio Holder

Prior to 1997, staff car parking in each of the Council owned staff only car parks was free of charge. However in June 1997 charges were introduced and essential users invited to purchase a dedicated reserved car parking staff for their own use. All available spaces were sold and at the request of the Trade Unions it was agreed that essential users who did not purchase a space would be reimbursed one long stay car park charge per day when at work upon production of a valid car parking ticket.

The extent to which staff take advantage of this provision was difficult to quantify but staff did not tend to claim as there was access to spaces much nearer their places of work. Additionally officers felt it unfair that staff without a parking space could claim reimbursement while those with a parking space could not. Other issues surrounding the placement of the long stay car park in relation to Council buildings and lost production time were also detailed.

The Director of Neighbourhood Services indicated that since the introduction of pay and display and contract parking there were now sufficient spaces available for all essential car users to purchase a space and requested that the previous decision made by the Resources and Monitoring Plenary Committee in June 2007 be rescinded.

The Portfolio Holder said that she had discussed this with the Portfolio Holder for Neighbourhoods and Communities and all car parking issues would be reviewed together.

Decision

That a joint portfolio meeting be organised as soon as possible to review all HBC car parking policies.

2. Data Quality Policy *(Assistant Chief Executive)*

Type of Decision

Non key.

Purpose of report

To seek approval of the Council's updated Data Quality Policy and provide an update on data quality arrangements in relation to performance information.

Issues for consideration by Portfolio Holder

The Data Quality Policy was first approved in April 2007 by the Performance Management Portfolio Holder. Traditionally it related to financial information but was now increasingly relevant in areas such as performance management, HR and asset management. Developments have taken place or are under consideration in all these areas particularly in relation to key projects such as Business Transformation, Building Schools for the Future and review of office accommodation. Details were given of the developments which had taken place or started over the last 12 months.

In performance management Data Quality now assumed a greater significance because the introduction of successive performance measurement systems has increasingly underlined the need for reliable, consistent and comparable information. Key elements of the forthcoming Comprehensive Area Assessment (CAA) will rely on information provided as part of the new National Indicator set and performance indicators identified as Improvement Targets, Local Priority Targets and Statutory education and early years targets in the LAA.

Recommendations made via the Audit Commission audit report were being dealt with as part of the Data Quality Action Plan. The revised Data Quality Policy would be circulated to all officers with responsibilities. The Performance Portfolio Holder was the lead councillor for performance

management including data quality.

The Assistant Chief Executive clarified that the Audit Commission had deemed that there should be a Data Quality Policy in place

Decision

The Portfolio Holder approved the updated Data Quality Policy for dissemination to responsible officers and noted the progress being made to further embed the Data Quality practice across the Council.

3. Extended Career Grade Scheme for Environmental Health and Trading Standards Officers (EHOs and TSOs) *(Head of Procurement, Property & Public Protection and Chief Personnel Officer)*

Type of Decision

Non key.

Purpose of report

To review the extended Career Grade Scheme for Environmental Health Officers (EHOs) and Trading Standards Officers (TSOs)

Items for consideration by Portfolio Holder

In September 2005 the Performance Management Portfolio Holder approved a revised Career Grade Scheme for all posts occupied by either qualified EHOs or TSOs. This was in response to concerns with recruitment and retention of qualified officers given a national shortage in both professions. In the Tees Valley region only one authority has a full complement of EHOs and TSOs with the others holding one or two vacant EHO posts. Reviews were undertaken in 2006 and 2007 when the Portfolio Holder agreed to continue the scheme with a further review in March 2008.

Since June 2007 the staffing situation has remained constant. In January 2008 two qualified EHOs left the authority to be replaced by one suitable applicant, the other post remaining vacant. In April 2008 a TSO left the authority and thus far no action had been taken regarding replacement, pending job evaluation and this review. Another previously vacated TSO post had not been advertised and was downgraded on a temporary basis. An existing trainee TSO had been undertaking related duties while working toward professional qualifications. It was hoped that during 2009 they would gain professional status and be offered the vacant post at full grade. Currently there are four trainee posts on the establishment, two EHO and two TSO. One of the current TSO posts is vacant but there were insufficient qualified officers within the division to provide practical training. Staff shortages were also affecting the department's ability to complete current student training and

it was therefore essential to recruit qualified, competent and experienced staff.

In relation to the Extended Career Grade Scheme six of the 16 EHOs and TSOs employed had successfully gained entry, due to the challenging criteria. All posts had been through the Job Evaluation Scheme with qualified EHO and TSO posts at least one increment below the salary level offered by the Extended Career Grade Scheme. This was a serious concern given the current staffing shortage and recruitment problems. Basic pay for EHOs and TSOs not on the scheme had improved however. Other authorities in the area were offering higher pay grades through the use of market force's supplements.

Details of the additional cost of continuing the scheme were outlined in the report. These costs would be met satisfactorily through operational division budgets and there was felt to be a high risk to recruitment of EHOs and TSOs if the scheme did not continue. Since the scheme was introduced in 2005 there had been improvements in recruitment and retention of the posts.

The Portfolio Holder suggested that there should be a survey of staff who stay within the Authority to elicit why they remain rather than leaving to obtain a higher salary, as this would be useful for the Human Resources Division with recruitment. The Chief Personnel Officer said that this could be incorporated into the employee survey.

Decision

The Portfolio Holder noted the position as regards the recruitment and retention of Environmental Health and Trading Standards Officers and approved the continuation of the Extended Career Grade Scheme. She also authorised the scheme to be reviewed after a further 12 months when a report would be prepared for the consideration of the Portfolio Holder.

4. Challenging Council Services Project *(Chief Personnel Officer)*

Type of Decision

Non key.

Purpose of report

To provide details of an external evaluation report on the Challenging Council Services project and update the Portfolio Holder in respect of possible facilitation arrangements

Issues for consideration by Portfolio Holder

At the previous Portfolio meeting a report regarding interim funding for the Challenging Council Services project was considered. At the time the Portfolio Holder asked that a breakdown of costs involved in the funding proposals for external training facilitation be made available at the next

meeting.

For the initial year of the project the facilitation role had been bought in from the New Deal for Communities (NDC) for £7,500 through the use of two experienced community workers. Reasons for the need to obtain external facilitation were outlined in the report. The project was initially funded by the Improvement partnership, with the requirement for an external evaluation of the project. A copy of this evaluation report was supplied for the Portfolio Holder's attention with particular emphasis being drawn to recommendations made within it.

The report stated that a key element of the success of the project thus far had been the external facilitation arrangements. Details were given of the preparation and facilitation sessions proposed for 2009 and the associated workload. It was felt appropriate to obtain external assistance up to March 2009. Should permanent funding be made available from April 2010 onwards consideration could be given as to whether the role could be brought in-house. A provision of £5,000 for facilitation had been made in the funding requirements for the project up to March 2009.

It was clarified that the £7,500 cost noted in the report went to NDC and not to the individuals. There were a number of experienced community workers available within Hartlepool and there was value attached to having independent facilitators. It was noted that although one facilitator had left the NDC, their new employer had indicated that the new organisation would be interested in continuing the involvement.

The Portfolio Holder asked how many people were involved in the Challenging Council Services project and was informed that there were more than 30 people from a wide range of already established specific interest groups who were asked to provide a viewpoint. The Portfolio Holder stated that it was necessary to establish that the groups were from a good cross section to provide impartial views and would like to be updated on feedback from this project. She stated that she had received positive feedback from the event held the previous week. The Chief Personnel Officer stated that the project placed the Authority in the national arena as no other Authority has yet done this sort of work.

Decision

The Portfolio Holder noted the evaluation report and facilitation proposals and agreed to fund the Challenging Council Services project at a cost of up to £19,000 until March 2009 from the Contingency Fund.

5. Local Government Pension Scheme – Discretionary Policy *(Chief Personnel Officer)*

Type of Decision

Non key.

Purpose of report

To request that the Portfolio Holder makes a decision to determine the Local Government Pension Scheme (LGPS) Discretions Policy in order to meet the statutory deadline of 30th June 2008 for the publication of such a policy.

Issues for consideration by Portfolio Holder

The New Look Local Government Pension Scheme was enacted in April 2008. There were a number of new discretions under various pieces of legislation identified on the report which the Council must publish in their policy. Details were given within the report of the new discretions and changes made to reflect new legislation. The discretionary policy had been approved in principle by Trade Unions and consultations on the development would take place in the near future and in time for the statutory publication date of 30th June 2008.

It was clarified that policy discretion A4 regarding Flexible Retirement at or after age 50 (Regulation B18(1) (Old Reg 35(1A)) required the Council to apply discretion to those who wish to retire between the ages of 50 and 55 but new starters on the scheme would have to attain the age of 55. The Portfolio Holder asked who had the discretion to apply the policy and it was clarified that the majority of employees would be at the discretion of the Chief Personnel Officer. Chief Officers would be at the discretion of the Portfolio Holder. The Portfolio Holder asked about policy discretion A3 Granting Additional Pension (up to £5000) (Regulation B13) and it was clarified that this policy was not yet completed but would be brought to the Portfolio Holder for approval when it was.

Decision

The Portfolio Holder determine the Council's policy in respect of Local Government Pension Scheme Discretionary Policy.

6. Training and Development Procurement Framework (Chief Personnel Officer)

Type of Decision

Non key.

Purpose of report

To inform the Portfolio Holder of the intention to procure providers of training and development services and seek the Portfolio Holder's approval to letting the contract on a price/performance basis.

Items for consideration by Portfolio Holder

The strategic workforce development group had been analysing what training and development activity took place across the authority and where there were areas to streamline to make it more efficient. As a result a sub-group had been formed with a remit to ensure a formal process is in place by April 2009 showing that all training and development activity is procured correctly and with value for money. Analysis of training and development activities had shown a total expenditure across the Council of £762,346 with an additional £1,500,445 spend on professional fees and external consultancy, a percentage of which would relate to training and development. At present each Department buys in their own training and development if it is not available corporately. This could lead to duplication of officer time across departments.

In order to address concerns raised by the group and to meet the legal requirements surrounding procurement activity it was proposed that a procurement exercise be undertaken to procure approved training providers in several occupational areas through a long-term framework agreement. This would be a four year contract and subject to a restricted tender process. In house providers would be considered first with external providers only invited when in house did not have the capability or capacity to deliver services. An offer of potential collaboration had also been made to the other Tees Valley authorities in order to share the costs, increase interest in the procurement exercise, promote partnership working and secure savings through increased buying power. Darlington and Redcar & Cleveland Borough Councils had initially indicated they would be interested but had then decided not to participate.

Details were given within the report of the various proposed stages by which providers would be invited to take part in the process. This would involve a supplier event, advertising for expressions of interest in the local press and the completion of pre-qualification questionnaires. It was anticipated that the process would culminate with the opening of tenders at Contract Scrutiny Panel in November 2008. It was proposed that a performance:price ratio of 70:30 be used and a rebate agreement would be incorporated into the contract.

There had been 12 months of extensive analysis and planning across the organisation to ensure that all departments agreed with the proposed approach. The Council Corporate Procurement Officer had worked with an external specialist to provide advice, guidance and training. This external specialist had built up an understanding of the Council's needs and in-house procedures and their support would continue to be necessary. Therefore the Portfolio Holder was asked to waive Contract Procedure Rules thereby allowing the external specialist's services to be retained without the need for a procurement exercise. The cost would be approximately £21,000 for 25 days support during the process. Funding from reserves was proposed, to be repaid over the lifetime of the contract from the recharges made to the training providers through the use of rebates.

The Portfolio Holder stated that a contractual period of four years seemed lengthy and expressed a view that 2 years seemed more appropriate. The Chief Personnel Officer stated that the contracts would be given to a range of providers who would provide training as and when necessary. The Portfolio Holder asked whether other trainers could be added once the framework agreement had been established and the Head of Procurement, Property & Public Protection clarified that as they would not have been evaluated, this would not be possible unless a number of trainers left the agreement and supplementary trainers were necessary. Areas which require trainers have been identified but if further specialised trainers were necessary, these could be added. The Chief Personnel Officer clarified that no firm agreement had been reached with regards to the length of time that trainers would be contracted for and a two year contract could be considered. She stated that there would be a consultation event with prospective trainers so that they could see exactly what the Authority required.

The Portfolio Holder asked why other Authorities had decided against collaborating and was informed that there was already a partnership in place between Stockton and Darlington.

The Chief Personnel Officer predicted that this framework agreement would save more than the £21,000 cost in setting it up. The Portfolio Holder asked why support costs were now being incurred and was informed that the advice given would be on a more formal basis and this was a fair cost for the support given. It was clarified that the support worker provided training and a clear distinction would be made regarding their involvement during this process. The Portfolio Holder asked whether all departments were signed up for this and was advised that they were. A further report would be brought to a future Portfolio meeting.

Decision

The Portfolio Holder noted the content of the report and approved the project asking that a further report be brought to her attention following the consultation event and that the procurement exercise to be conducted on the basis of a Performance/Price ratio of 70:30. The Portfolio Holder also agreed to the support of the external specialist as part of the project and waived Contract Procedure Rules to allow the engagement of the external specialist. The Portfolio Holder also agreed to receive regular updates regarding the progress made in terms of the procurement exercise.

7. Single Status Agreement Appeals Procedure *(Chief Personnel Officer)*

Type of Decision

Non key.

Purpose of report

To obtain Portfolio Holder endorsement of the Single Status Agreement Appeals Procedure and the arrangements for appointing an Independent Chair for the Appeals Panel.

Items for consideration by Portfolio Holder

In May 2008 Cabinet agreed that the draft Single Status Agreement be submitted as approved. In December 2007 it had been agreed that the Performance Portfolio Holder would consider and approve all supporting annexes to the main body of the agreement. The Appeals Procedure is an annex to the report and has been agreed between officers and the local trade unions. Details were given within the report of the main features and associated timescales of the procedure. Particular attention was drawn to the need for an Independent Chair for the Appeals Panel. It would be necessary to advertise this position and given lack of clarity in some of the details it was suggested that the Portfolio Holder and Chief Personnel Officer be authorised to determine the appropriate employment status and remuneration arrangements when an appointment decision was about to be made. Failure to agree the procedure before 1st July 2008 would have a detrimental on the overall appeals timetables and could demoralise the workforce.

The Chief Personnel Officer confirmed that the Single Status Agreement Appeals procedure had been agreed with the Unions.

Decision

The Portfolio Holder endorsed the Single Status Agreement Appeals Procedure, the proposed arrangements for changing timescales if necessary and the arrangements for appointing an Independent Chair for the Appeals Panel.

8. Chief Executive's Departmental Plan 2007/08 – 4th Quarter Monitoring Report *(Assistant Chief Executive and Chief Personnel Officer)*

Type of Decision

Non key.

Purpose of report

To inform the Portfolio Holder of the progress made against the Chief Executive's Departmental Plan 2007/08 in the fourth quarter of the year.

Issues for consideration by Portfolio Holder

The report contained background information and detailed how the Corporate Strategy Division and Human Resources Divisions of the Chief Executives Department fell within the remit of the Performance Portfolio with Finance and

Legal Services reporting to the Finance and Efficiency Portfolio Holder. Details were given of recent performance by Corporate Strategy and Human Resources in relation to the key actions and performance indicators included in the Chief Executive's Departmental Plan 2008/09. These figures showed that of 74 Corporate Strategy actions four were not expected to be achieved on target. 13 Human Resources actions of a total of 70 were not on target to be achieved.

The Assistant Chief Executive clarified that any outstanding actions from the previous year had been rolled over into the current one, with early completion dates. He said that there were a number of positive achievements and although past targets had been ambitious, current ones were more realistic.

The Assistant Chief Executive stated that he was happy that there were only four outstanding actions and the Chief Personnel Officer said that all her department's outstanding actions regarding Single Status had now been completed. The Portfolio Holder thanked the departments for their good work.

Decision

The Portfolio Holder noted the report.

9. Corporate Complaints *(Assistant Chief Executive)*

Type of Decision

Non key.

Purpose of report

To report to the Portfolio Holder on complaints performance, the updating of the corporate complaints procedure and the protocol for complaints and partnerships.

Items for consideration by Portfolio Holder

The report covered performance information on formal complaints for 2007/8 and contained details relating to the following:

- Corporate complaints
- Social care complaints
- Meeting targets;
- Outcomes of complaints investigations;
- Remedies for complainants;
- Learning from complaints;
- Complaints referred to the Local Government Ombudsman

Appendix 1 to the report provided departmental numbers and comparison of complaints information in 2007/08

Details were also given of recent amendments to the Corporate Complaints

Procedure and devising of a general complaints protocol for all local authority partnership arrangements, as recommended by the Local Government Ombudsman.

The Portfolio Holder noted that there were fewer complaints this year than in the previous year and was informed that there was one issue the previous year which had generated a large number of complaints.

Decision

The Portfolio Holder noted the report and the improvements in the figures.

10. Local Government Association – Reputation campaign (Assistant Chief Executive)

Type of Decision

Non key.

Purpose of report

To provide an update on progress in relation to the Local Government Association's Reputation Campaign.

Issues for consideration by Portfolio Holder

In October 2007 the Portfolio Holder authorised the Council signing up to the Local Government Association's Reputation Campaign which challenges councils to deliver effectively on 12 key actions under the categories of Cleaner, Safer, Greener and Communications. Detailed information was provided on these 12 key actions and information on progress to date outlined. It had been felt that the Council was already delivering on eight of the 12 actions and positive steps had been taken to address the remaining four. Councils signing up to the Reputation Campaign were asked by the Local Government Association to try to meet all 12 actions within 12 months. Hartlepool Council had signed up in November 2007 and were on schedule to be delivering effectively on all 12 actions by November 2008. A further report would be presented to the Portfolio Holder towards the end of 2008.

It was established that there was currently a corporate branding review which had been discussed at a recent Corporate Management Team meeting and a report from this would be presented to the Portfolio Holder at a later date. It would be necessary to carry out an audit of Council buildings/services to get a full picture of how the current brand is being applied.

The Portfolio Holder stated that the A – Z of Council Services which had been delivered to households in the Borough appeared to have been well received, as had the feature currently running in the Hartlepool Mail. The Hartlepool Mail had received a number of follow on stories as a result of this.

The Portfolio Holder asked whether the Local Authority logo could be included in the Mail features and was agreed that this be explored.

Decision

The Portfolio Holder noted the report and agreed to receive a further report towards the end of 2008.

11. Employee Attendance Annual Report 2007/8 *(Chief Personnel Officer)*

Type of Decision

Non key.

Purpose of report

To update the Portfolio Holder on the Council's performance in 2007/8 in relation to employee absence, future targets and to receive endorsement of actions proposed to achieve the targets.

Items for consideration by Portfolio Holder

The report contained detailed information relating to employee absence in 2007/08. The target figure for sickness absence was 11.05 days per employee with end of year figures showing 10.57 days per employee, below target. Detailed statistic relating to individual Departments and School were also shown while future years' indicators and targets and actions planned to achieve these targets were also outlined.

The Portfolio Holder said that she was pleased that targets had been exceeded and said that all staff should be thanked not merely managers. It was agreed that the Council's Newsline would carry a feature on this.

It was noted that there would be a review of sickness absence management arrangements as part of the Single Status Agreement.

Decision

The Portfolio Holder noted the employee absence for 2007/2008 and future targets and proposed actions for 2008/09 were endorsed.

12. Local Government (Access to Information) Act 1985.

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local

Government Act 1972 as amended by the Local Government (Access to Information)(Variation) Order 2006

Minute 12 – Qualification Based Training Applications (Para 1) This item contains exempt information under Schedule 12A Local Government Act 1972, namely information relating to any individual.

Minute 13 – Proposed Transfer to Chief Officer Terms and Conditions (Para 2 and 3) This item contains exempt information under Schedule 12A Local Government Act 1972, namely information which is likely to reveal the identity of an individual and information relating to the financial and business affairs of any particular person (including the authority holding that information)

Minute 14 – Approval for Compulsory Redundancy (Para 4) This item contains exempt information under Schedule 12A Local Government Act 1972, namely information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

13. Qualification Based Training Applications *(Chief Personnel Officer)*

Type of Decision

Non key.

Purpose of report

To seek approval from the Portfolio Holder for an application for post entry qualification support from the Children's Services Department.

Issues for consideration by Portfolio Holder

Detailed within the confidential section of the minutes.

Decision

The Portfolio Holder approved the request.

14. Proposed Transfer to Chief Officer Terms and Conditions *(Chief Personnel Officer and Director of Neighbourhood Services)*

Type of Decision

Non key.

Purpose of report

Detailed within the confidential section of the minutes.

Issues for consideration by Portfolio Holder

Detailed within the confidential section of the minutes

Decision

The Portfolio Holder approved the transfer.

15. Approval for Compulsory Redundancy *(Chief Personnel Officer)*

Type of Decision

Non key.

Purpose of report

Detailed within the exempt minutes.

Items for consideration by Portfolio Holder

Detailed within the confidential section of the minutes.

Decision

The Portfolio Holder agreed the recommendations outlined in the report.

The meeting concluded at 4.50 pm.

P DEVLIN

CHIEF SOLICITOR

PUBLICATION DATE: 2nd July 2008

CONFIRMED BY PORTFOLIO HOLDER

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DATE:-