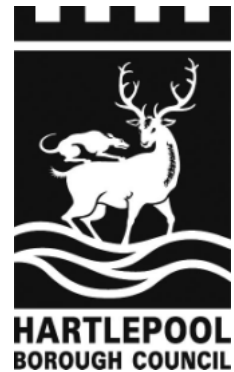


SCRUTINY CO-ORDINATING COMMITTEE AGENDA



Friday, 24 September 2010

at 10.30 am

in the Council Chamber,
Civic Centre, Hartlepool

MEMBERS: SCRUTINY CO-ORDINATING COMMITTEE:

Councillors C Akers-Belcher, S Akers-Belcher, Cook, Cranney, Flintoff, Griffin, James, London, A Marshall, McKenna, Preece, Richardson, Shaw, Simmons, Thomas and Wells.

Resident Representatives:

Evelyn Leck, Linda Shields and Angie Wilcox

1. **APOLOGIES FOR ABSENCE**

2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**

3. **MINUTES**

3.1 To confirm the minutes of the Joint Meeting of the Health Scrutiny Forum and Scrutiny Co-ordinating Committee held on 27 August 2010 (*to follow*)

3.2 To confirm the minutes of the meeting held on 3 September 2010 (*to follow*)

4. **RESPONSES FROM THE COUNCIL, THE EXECUTIVE OR COMMITTEES OF THE COUNCIL TO REPORTS OF THE SCRUTINY COORDINATING COMMITTEE**

No Items

5. CONSIDERATION OF REQUEST FOR SCRUTINY REVIEWS FROM COUNCIL, EXECUTIVE MEMBERS AND NON EXECUTIVE MEMBERS

No Items

6. FORWARD PLAN

No Items

7. CONSIDERATION OF PROGRESS REPORTS / BUDGET AND POLICY FRAMEWORK DOCUMENTS

No Items

8. CONSIDERATION OF FINANCIAL MONITORING/CORPORATE REPORTS

No Items

9. ITEMS FOR DISCUSSION

9.1 Call-In of Decision: Counselling Services:-

(a) Briefing Note – *Scrutiny Manager*

(b) Additional Information - *Chief Customer and Workforce Services Officer*

10. CALL-IN REQUESTS

11. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

ITEMS FOR INFORMATION

i) Date of Next Meeting Friday 15th October 2010, commencing at 2.00 pm in Committee Room B, Civic Centre, Hartlepool

JOINT HEALTH SCRUTINY FORUM AND SCRUTINY CO-ORDINATING COMMITTEE MINUTES 27 August 2010

The meeting commenced at 10.00 am in the Civic Centre, Hartlepool

Present:

Councillors C Akers-Belcher, S Akers-Belcher, Barker, Cook, Cranney, Fleet, Flintoff, Griffin, James, Preece, Richardson, Shaw, Simmons and Wells

In accordance with Paragraph 4.2 (ii) of the Constitution Councillor Ingham was in attendance as substitute for Councillor Thomas

Resident Representatives:

Evelyn Leck and Linda Shields

Also Present:Councillor Brash, Performance Portfolio Holder

Councillor Ged Hall, Adult and Public Health Services Portfolio Holder

Councillor S Maness

Mike Procter, Director of Strategic Intelligence, NHS Tees

Officers:

Joanne Machers, Chief Customer and Workforce Development Officer

Graham Frankland, Assistant Director, Regeneration and Neighbourhoods

Stuart Langston, Health, Safety and Wellbeing Manager

Joan Chapman, Corporate ICT Manager

Joan Stevens, Scrutiny Manager

James Walsh, Scrutiny Support Officer

Denise Wimpenny, Principal Democratic Services Officer

1. Appointment of Chair

As this was a Health related issue it was agreed that Councillor Stephen Akers Belcher be appointed Chair for this meeting.

Councillor Stephen Akers Belcher took the Chair

Members were advised that two call-in notices had been submitted and would be considered under any other business. As this issue was within the remit of Scrutiny Co-ordinating Committee, any voting would be restricted to Scrutiny Co-ordinating Committee Members only.

2. Apologies for Absence

Apologies for absence were submitted on behalf of A Lilley, G Lilley, McKenna, Thomas and Resident Representatives Mary Green and Liz Carroll.

3. Declarations of interest by Members

Councillor Christopher Akers-Belcher declared a personal interest in Minute No 8 as the Links Co-ordinator for Hartlepool.

4. Responses from the Council, the Executive or Committees of the Council to Reports of the Scrutiny Co-ordinating Committee

None.

5. Consideration of request for scrutiny reviews from Council, Executive Members and Non Executive Members

None.

6. Consideration of progress reports/budget and policy framework documents

None.

7. Issues Identified from Forward Plan

None.

8. Responding to the White Paper Equity and Excellence: Liberating the NHS and Liberating the NHS: Local Democratic Legitimacy in Health Consultation – Covering Report (*Scrutiny Manager*)

The Scrutiny Support Officer presented the report which provided Members with an introduction to the White Paper entitled 'Equity and Excellence: Liberating the NHS', attached at Appendix A to the report. Headline news coverage surrounded the following announcements in the White Paper:-

- (i) the abolition of Strategic Health Authorities;

- (ii) the abolition of Primary Care Trusts;
- (iii) the formation of GP Consortia to commission health care;
- (iv) the evolving of LINK into a Local HealthWatch, with increased strength and responsibility;
- (v) the repositioning of Public Health under the direct control of the Local Authority;
- (vi) the proposal for the creation of Health and Wellbeing Boards; and
- (vii) the transformation of all Acute providers into Foundation Trusts.

Key to the Government's proposals from a scrutiny perspective was the formation of a Health and Wellbeing Board, details of which were outlined in the report. Section 4.19 of Appendix A highlighted the new functions (powers) that Local Authorities would have to:-

- (i) Promote integration and partnership working;
- (ii) Lead on joint strategic needs assessments; and
- (iii) Build partnerships for service changes and priorities.

The White Paper suggested that the new functions for Local Authorities:-

*"Would replace the current statutory functions of Health Overview and Scrutiny Committees"*¹

In addition to the White Paper, on 22 July 2010 the Government published a consultation document entitled 'Liberating the NHS: Local Democratic Legitimacy in Health', attached as Appendix B to the report. This document asked a number of key questions in relation to the development of the White Paper, with Hartlepool LINK's helpful summary attached as Appendix C to the report.

Members were requested to formulate a response in relation to Appendix A and questions raised in Appendix B, which could be shared as Scrutiny's views to the Government, the Authority's Cabinet, the Tees Valley Health Scrutiny Joint Committee, Hartlepool LINK and any other relevant bodies seeking Scrutiny's views in relation to the White Paper 'Equity and Excellence: Liberating the NHS' and the consultation document 'Liberating the NHS: Local Democratic Legitimacy in Health'.

The Director of Strategic Intelligence at NHS Tees had been invited to the

meeting to provide further details on the issues raised in the report. The report included details of major milestones for the NHS White Paper

The Director of Strategic Intelligence provided a detailed and comprehensive presentation which examined the following

- Liberating the NHS – the Government’s vision for health and how it integrates with Public Health and social care
- GP Commissioning Consortia, how it will operate
- GP Commissioning – Timetable
- NHS Commissioning Board main functions
- Putting patients and the public first – more information for patients, more choice and control for patients, HealthWatch
- Improving Healthcare Outcomes – a new outcomes framework and financial incentives for quality improvement
- Autonomy, accountability and democratic legitimacy: GP commissioning consortia, an NHS Commissioning Board, relationship between NHS and Local Government, freedoms for NHS providers, the Care Quality Commission and Monitor, NHS pay and pensions
- Cutting bureaucracy and improving efficiency
- Conclusion :making it happen
- Local implementation
 - White Paper open to consultation until 11 October 2010
 - PCT restructuring and reduction in staff numbers underway
 - New structure addresses the policy direction set out in Liberating the NHS
 - Development of GP Commissioning being taken forward in partnership with GPs and other local stakeholders.

Following the conclusion of the presentation, a lengthy discussion ensued which included the following issues:

- (i) A Member queried what safeguards were in place to protect patient safety in the interim period of transferring services from the PCT to GPs as some concern was expressed regarding the risks that patient safety and welfare could be compromised. Members were advised that the timetable provided for an overlap between the Consortia in its shadow form with PCTS not scheduled to be abolished until 2 years of dual operation with a gradual handover of services. The current coalition government were keen to have arrangements in place by April 2013. However, it was suggested that this was an ambitious timeframe.
- (ii) Clarification was sought on the arrangements in place to address any failings in GP practices and whether this would affect funding allocation for that area. The Director of Strategic Intelligence advised that whilst the exact details were not yet available, it was envisaged that the Commissioning Board would oversee arrangements to ensure the Consortia operated effectively. If failings were identified, it was anticipated that services and budgets would transfer to an alternative

- consortia.
- (iii) Concerns were raised regarding the issue of lack of funding and how the services in Hartlepool may be affected as a result. Members were advised that it was not expected that the clinical delivery of services would be affected. However, if a decision was taken to deliver services in an alternative way, this would need to be carefully monitored by the Scrutiny Forum.
 - (iv) With regard to the proposed transfer of services to GPs and GPs operating as independent businesses, a Member highlighted the risk that GPs may be selective in terms of which patients they accepted into their practice and queried what arrangements were in place to ensure patients with greater needs were provided for. In response, it was reported that there were currently safeguards in place to ensure this did not occur.
 - (v) Members discussed the working arrangements between the Commissioning Board and local arrangements, the effective use of any underspends in budgets, who would fund Health and Wellbeing boards as well as how these arrangements would be independently monitored to ensure patient feedback was actioned. The Director of Strategic Intelligence stated that any underspends in the past had to be utilised on specific services that would benefit patients. Details of how underspends would be managed and how Health and Wellbeing Boards would be funded was not yet clear.
 - (vi) In relation to the future role of Scrutiny Forums, a Member commented on the need to continue to scrutinise local public health arrangements and monitor and evaluate delivery of services, and sought the representative's views in this regard. In response, Members were advised that the White Paper suggested the scrutinisation of local health arrangements would be carried out by the Health and Wellbeing Boards, however, the details of such arrangements were not clear at present.
 - (vii) Further discussion ensued on future proposals, the risks of pooling budgets, the number of GPs who had indicated their reluctance to be involved in the Consortia and how this would impact on patient choice, the potential inequality issues and the risks of phasing out the NHS and privatising services as well as the impact on the quality of services provided. The Director of Strategic Intelligence stated that the White Paper suggested that monitoring health inequalities would be a matter for local authorities. The new Coalition Government were proposing to introduce a new outcomes framework for GPs which suggested improved monitoring of outcomes and performance management arrangements. The White Paper indicated that the new arrangements would make it easier for patients to transfer to another practice.
 - (viii) The Performance Portfolio Holder raised concerns that the proposals would result in further privatisation of services, there was a reluctance of GPs to join the Consortia, the emphasis on cost as opposed to quality of services and the failure to adequately consult on the proposals on such an important issue.
 - (ix) The Adult and Public Health Services Portfolio Holder supported the concerns of Members regarding the proposals to privatise services

and the uncertainty of how the proposals would operate in practice, and highlighted the possible conflict of interests. Reference was made to the potential benefits of the proposals including the transfer of health improvement functions to local authorities and improvement of health care outcomes. The Portfolio Holder emphasised the advantages of effective partnership working between local authorities and the NHS and the benefits of this continuing.

- (x) Clarification was sought on whether it was considered the proposals would have a detrimental impact on the services provided to the public. The Committee was advised that the main concerns were the scale of the changes, the reduction in resources and the lack of detail with regard to how the changes would be achieved.
- (xi) A Member commented that shared decision making for some patients would not be welcomed.

The Chair sought Members' views on Questions, 8, 14, 15 and 16 as set out in the questionnaire, attached at Appendix C.

With regard to Question 8 relating to the main functions of the Health and Wellbeing Board, Members were of the view that the current powers of Health scrutiny should remain with the Health Scrutiny Forum and continue to operate within the local authority to ensure local health commissioners ie GP Consortias were closely monitored. In the event that public health responsibilities transferred to local authorities there would be a requirement to retain a scrutiny mechanism to scrutinise such functions to ensure democratic accountability. Members suggested that this role should remain within the Scrutiny function of the Council.

In relation to Question 14 as to whether the scrutiny and referral function of the current Health OSC should be subsumed within the health and wellbeing board, all Members were of the firm view that this should not be subsumed within the health and wellbeing board and the current Health OSC should retain its current powers.

In terms of Question 15 on how to ensure that arrangements for scrutiny and referral maximised local resolution of disputes and minimised escalation to national level, Members reiterated that the current local scrutiny powers should be retained external to the Health and Wellbeing Board. Health OSCs had been effective in highlighting issues of local concern and bringing relevant local health bodies together to achieve resolution.

With regard to Question 16 on what arrangements the local authority should put in place to ensure that there is effective scrutiny of the Health and Wellbeing Boards, Members were of the firm view that the current scrutiny powers should remain. However, in the event that this was not achievable, the ability to call in decisions should remain in order to respond to local concerns.

In conclusion, the Chair summarised Members serious concerns against privatisation and Consortia arrangements. However, in the event that the

Consortia arrangements were introduced, Members emphasised the importance of ensuring that local consortiums were introduced to reflect local authority boundaries as a wider geographical area would not be as responsive to local needs.

Following further discussion on the submission of a formal response to Cabinet for its meeting on 6 September, it was decided that the final wording of the response would be agreed by the Chair.

The Chair thanked the representative of NHS Tees for his attendance.

Recommended

- (i) That the report and comments of the Forum be noted.
- (ii) That Scrutiny's views in relation to the White Paper 'Equity and Excellence: Liberating the NHS' and the consultation document Liberating the NHS: Local Democratic Legitimacy in Health be submitted to the Government, the Authority's Cabinet, the Tees Valley Health Scrutiny Joint Committee and Hartlepool LINK, the final wording of which to be agreed by the Chair.

Prior to consideration of the following items of business Councillor Stephen Akers-Belcher vacated the Chair and Councillor James took the Chair.

Cllr James in the Chair

9. Any Other Items which the Chairman Considers are Urgent

The Chairman ruled that the following items of business should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B) (4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

10. Any Other Business – Call-In of Decision: Migration of Telephony Provision to Hartlepool Borough Council *(Scrutiny Manager)*

The Scrutiny Manager reported that two call-in notices had been received in relation to two recent decisions taken by the Finance and Procurement Portfolio Holder and Performance Portfolio Holder. The purpose of today's discussion was to consider whether the call-ins should be accepted for the reasons set out in the Notices. Officers who had been involved in the preparation of the reports and the Performance Portfolio Holder were in attendance at the meeting to answer any questions in relation to the decisions.

Members were referred to the report of the Assistant Director (Resources) and decision record of the meeting of the Finance and Procurement Portfolio Holder held on 12 August 2010 relating to the migration of Telephony

Provision together with the call-in notice, copies of which were attached as appendices to the report.

Members questioned the Assistant Director (Resources) regarding the report and the reasons behind the proposals submitted to the Portfolio Holder.

Members expressed concerns and made a number of suggestions which included the following:-

- Some Members had experienced service delivery problems with this company and following investigation had identified they were not a well established company or recognised as a good provider.
- Insufficient service performance checks of the new provider had taken place.
- If the service was to be put out to contract why had the process not been transparent and the contract subject to the correct tendering process and alternative options pursued. Concern was expressed that this did not represent Best Value and that other providers had not had an opportunity to conduct the same exercise as the proposed provider. In response to these concerns, Members were advised that the Government's Office of Government Commerce list of suppliers had been utilised whereby a number of providers (including Daisy) had been through a fully compliant competitive process to prove value for money. The intention of this process being to remove the requirement for local authorities to undertake expensive tendering processes.
- There were a number of other telecommunications providers on the OCG list that had not had not been considered on the basis of references and submissions from Daisy.
- No further negotiations had taken place with the existing provider relating to what the new provider could offer to retain the Council's business. Members were of the view that further negotiations should take place with the existing provider in this regard.
- Risks associated with changing telecommunications providers.
- No other local authorities had conducted a formal tendering process with the proposed provider.
- It was suggested that discussions take place with other neighbouring authorities ie Durham County Council to determine which telecommunications providers were being utilised elsewhere.
- It was confirmed that Hartlepool Borough Council officers had contacted Daisy in light of the company being used by other Tees Valley Authorities (Stockton and Middlesbrough Councils).

The following points were highlighted during the evidence given by the Assistant Director (Resources):-

- The reason for the proposal was to achieve efficiency savings on telephony costs across the Council by relocating the service to a more cost effective provider. It was emphasised that the decision of the

Portfolio Holder to agree the proposal to proceed with the migration of telephony services to Daisy Group plc was subject to satisfactory agreement being reached on the removal of costs from the ICT contract between Hartlepool Borough Council and Northgate and confirmation of service performance checks on Daisy.

- Stockton and Middlesbrough Councils were currently using the proposed provider with positive feedback on the service as well as savings being made.
- Current service provision was not providing value for money.
- The proposed procurement route fully complied with the Council's Procurement Rules and there would be no penalty payable to Northgate as a result of the change in provider.
- The length of the contract was one year with a three month trial period and savings equated to 17% or £25,000.
- Confirmation was given that an assurance had been given in writing there would be no additional/replacement equipment requirements as a result of the change in provider.

Following further debate as to whether the call-in should be accepted, the process for dealing with this call-in and proposed timetable, Members requested that the call-in be accepted and that appropriate arrangements for future meetings to consider the call-in be arranged to ensure completion of the inquiry by September/October to enable the Committee's recommendations to be considered by the Portfolio in October.

Members requested that a shortlist of approximately 6 potential alternative providers be examined and be included in a further report for consideration at the next meeting of the Committee to address the concerns and suggestions of Members as outlined above

Recommended

- (i) That the Call-in notice be formally accepted and additional meetings of the Committee be undertaken in order to complete the process.
- (ii) That a report be submitted to the next Call-in meeting to address the concerns and suggestions of Members, as outlined above.

11. Any Other Business – Call-In of Decision: Counselling Services *(Scrutiny Manager)*

Members were referred to the report of the Chief Customer and Workforce Services Officer and decision record of the meeting of the Performance Portfolio Holder held on 13 August 2010 relating to counselling services together with the call-in notice, copies of which were attached as appendices to the report.

Members questioned the Performance Portfolio Holder, the Chief Customer and Workforce Services Officer and Health and Safety Manager regarding

the report and the reasons behind the proposals submitted to the Portfolio Holder.

Members expressed concerns and made a number of suggestions including:-

- Clarification was sought on the aims and objectives of this proposal, the value of entering into a 5 year contract and partnership arrangement with a neighbouring authority. The Portfolio Holder explained:-
 - the current system had never been market tested for quality or cost and best value could not be determined without a tendering exercise;
 - the benefits of tendering with another authority and emphasised that the management of the contract would be undertaken independently of another authority and the benefits of the service to staff were also outlined; and
 - the service could not be provided internally.
- Members highlighted that the current statistics suggested that the current service was good and emphasised the benefits of retaining the counselling service in Hartlepool.
- Reference was made to the various methods of delivering the service, whether the service could be provided in-house, whether there were additional providers in the area that needed to be tested. The Health Safety and Wellbeing Manager reported:-
 - that the travelling implications of utilising a provider from outside the town would be considered as part of the tender assessment process and that the impact of this would be considered as part of the 60/40 quality/price requirement of the tendering process; and
 - that there were a number of other companies in Hartlepool who currently also provided counselling services.
- Expanding on the option for the provision of counselling services internally, it was confirmed that the service was provided on a 'cost of referral' rather than an annual fee basis. It was also confirmed that whilst the service had been provided internally at one time, when that arrangement ceased it was more cost effective to find an external provider.
- In response to a request for clarification, the Chief Customer and Workforce Services Officer provided details of the counselling referral process and timescales involved as a comparator with the referral timescales of GPs. It was pointed out that whilst this was an invaluable service, some staff may be reluctant to take-up the service for confidentiality reasons. A Member suggested that the current referral process and alternative methods of delivering the service more efficiently should be further explored.
- The importance of prevention and reducing the need to use the service was highlighted.
- Members requested that a local market testing exercise be undertaken with GPs to determine what other services were currently available in Hartlepool to support the counselling services as a comparator to what was currently being provided including the timescales involved.

Following further debate as to whether the call-in should be accepted, the process for dealing with this call-in and proposed timetable, Members requested that the call-in be accepted and that appropriate arrangements for future meetings to consider the call-in be arranged to ensure completion of the inquiry by September/October to enable the Committee's recommendations to be considered by the Portfolio in October.

Recommended

- (iii) That the Call-in notice be formally accepted and additional meetings of the Committee be undertaken in order to complete the process.
- (iv) That a report be submitted to the next Call-in meeting to address the concerns and suggestions of Members, as outlined above.

The meeting concluded at 12.50 pm

CHAIR

SCRUTINY CO-ORDINATING COMMITTEE

MINUTES

3 September 2010

The meeting commenced at 2.00 pm in the Civic Centre, Hartlepool

Present:

Councillor: Marjorie James (In the Chair)

Councillors: Christopher, Akers-Belcher, Stephen Akers-Belcher, Rob W Cook, Kevin Cranney, Sheila Griffin, Ann Marshall, Chris McKenna, Arthur Preece, Carl Richardson, Jane Shaw, Chris Simmons and Ray Wells.

In accordance with Paragraph 4.2 (ii) of the Constitution, Councillor Mary Fleet was in attendance as substitute for Councillor Stephen Thomas

Resident Representative:

Linda Shields

Officers:

Chris Little, Chief Finance Officer
Danielle Swainston, Sure Start Extended Services and Early Years Manager
Patrick Wilson, Employment Development Officer
Joan Stevens, Scrutiny Manager
Denise Wimpenny, Principal Democratic Services Officer

28. Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Stephen Thomas.

29. Declarations of interest by Members

None.

30. Confirmation of the minutes of the meeting held on 23 July 2010

Confirmed. Details of matters arising from the minutes is set out in minute 42 later in the meeting.

31. Responses from the Council, the Executive or Committees of the Council to Reports of the Scrutiny Co-ordinating Committee

None.

32. Consideration of request for scrutiny reviews from Council, Executive Members and Non Executive Members

None.

33. Forward Plan – September to December 2010 (*Scrutiny Manager*)

The Executive's Forward Plan for September to December 2010 was provided to give Members of the Scrutiny Co-ordinating Committee the opportunity to consider whether any items within the Plan should be considered or referred to a particular scrutiny forum.

With reference to the various Service Delivery Options (SDO's) contained within the Forward Plan, clarification was sought regarding Scrutiny involvement in Business Transformation / SDO process. The Chair confirmed that a process had been introduced whereby Scrutiny Chairs were now invited to attend Business Transformation Board meetings (at which SDO's were considered). Concern was, however, expressed by the Chair that Scrutiny Chairs were not autonomous and, as such, their attendance and views could not be regarded as scrutiny approval to any SDO proposals. As such, the purpose of these Business Transformation Board meetings was to seek clarification and question service delivery options.

The Chair sought clarification from the Committee as to how SDO's should be considered by Scrutiny, i.e. brought through in their entirety or selected where relevant. Members expressed concern that the workload of the Scrutiny Co-ordinating Committee should not be overloaded and suggested that the referral of SDO's through the relevant Scrutiny Forums / Committee should be at the discretion of the Scrutiny Chairs.

In looking at the Forward Plan in detail, discussions ensued on the following items.

1) Ref: NS 112/07 – Review of Car Allowances

A Member sought clarification regarding the timing of this decision as the consultation process had not yet commenced. The Chair reported that a Working Group had recently been established to which it was acknowledged that this information needed to be shared. The Scrutiny Manger added that

a report would be submitted to the next meeting of this Committee in response to the issues raised.

2) Ref: NS 112/07- Victoria Park

It was noted that the item referring to proposals for land transactions at Victoria Park was due for decision in September/October and clarification was sought on when and how Members would be consulted as previously requested by Scrutiny Co-ordinating Committee. It was highlighted that a meeting of the Executive Committee had taken place the previous day, the outcome of which would be published and communicated to Members in accordance with the usual publication of executive decisions timetable. In response to concerns that no consultation had taken place with Ward Members or this Committee, the Chair reminded Members of the option to call-in decisions within the usual call-in period as set out in the constitution. Members reiterated previous comments that decisions of this type should be taken by full Council although it was noted that the Constitution placed responsibility for such decisions within the remit of the Portfolio Holder.

3) Ref: RN 13/09 – Disposal of Surplus Assets

In relation to the process for consultation, Members expressed concern that there was no indication as to how consultations would be undertaken. There was also a request that the wording of the paragraph be amended to replace 'could' to 'shall' include service departments.

4) Ref: RN 31/10 – Regional Procurement – New Organisational Arrangements

Concern was expressed that the Forward Plan did not include details of how the consultation in relation to the above issues would be undertaken. In terms of who should be consulted, a Member requested that all Elected Members must be consulted. With regard to the regional procurement entry, a query was raised as to why there was a question mark against proposed consultation with the Constitution Committee.

5) Ref RN23/10 – Parking Charge Review

Some concern was expressed regarding the timescales involved in Non-Executive Members being informed of Executive decisions. The Chair advised that a consultation exercise would take place as part of the review.

6) Ref: CE 40/10 – Local Area Agreement

It was pointed out that the date for consideration by decision makers was incorrect and should be amended to read March 2011. It was noted that it was currently uncertain whether the new Coalition Government would continue to develop the LAA process. In the event that the LAA continued, Members requested that input be sought from the voluntary and community sector in relation to support and partnership arrangements.

7) Ref CAS 77/10 – Refurbishment of Exmoor Grove Children’s Home

Concern was expressed that the capital expenditure for the refurbishment of Exmoor Grove Children’s Home currently estimated to be in excess of £100,000 was excessive and further information in this regard was requested. In view of the current financial constraints of the Council, it was suggested that this matter be reviewed and referred to Children’s Services Scrutiny Forum for investigation.

8) Ref CAS78/10 – Service Delivery Option for Sure Start, Extended Services and Early Years

A number of queries were raised in relation to the how the efficiency target and budget base figures had been calculated. In view of these queries, it was suggested that this Service Delivery Option be referred to the Children’s Services Scrutiny Forum for investigation.

9) Ref: RN 34/10 – Housing Adaptations Policy for 2010-2013

In relation to who would be consulted on this issue, a Member commented that Elected Members should be included in the consultation process.

The Committee requested that this issue be referred to a joint meeting of the Adult and Community Services Scrutiny Forum, Children’s Services Scrutiny Forum and the Regeneration and Planning Services Scrutiny Forum for investigation.

Recommended

- (i) That in order to prevent the overload of the Scrutiny Co-ordinating Committee work programme, the referral of SDO’s through the relevant Scrutiny Forums / Committee be at the discretion of each of the Scrutiny Chairs;
- (ii) That the refurbishment of Exmoor Grove Children’s Home be referred to the Children’s Services Scrutiny Forum for investigation.
- (iii) That the Service Delivery Option for Sure Start, Extended Services and Early Years be referred to the Children’s Services Scrutiny Forum for investigation.
- (iv) That the Housing Adaptations Policy for 2010-2013 be referred to the Adult and Community Services Scrutiny Forum, Children’s Services Scrutiny Forum and the Regeneration and Planning Services Scrutiny Forum for investigation.

34. Consideration of progress reports/budget and policy framework documents

None.

35. Year End – Revenue Outturn Report 2009/10 *(Chief Finance Officer)*

The Chief Finance Officer presented a report which provided details of the Council's overall Revenue Outturn for 2009/10. The report had been submitted to Cabinet on 6 September 2010 and was attached as Appendix 1.

A summary outturn position for the General Fund showed £2,510m had been transferred to the Strategic Risk Reserve. The report included detailed outturn statements for each portfolio including the reasons for the main variances. Details of contributions to reserves in 2009/2010 were also set out in Appendixes B to H of the Cabinet report.

The report included details of the outturns against high risk budget areas by department, outturn position on efficiency savings/increased income targets identified in the 2009/2010 budget strategy, revenue contributions towards capital expenditure, school balances as at 31 March 2010, performance against budget pressures treated as contingency items, area based grants information and key balance sheet information.

In response to concerns regarding the level of variances of school balances, as detailed in Appendix L, and queries regarding the measures in place to address this, the Chief Finance Officer reported that the Council were assisting schools with financial strategies in order to effectively manage future financial challenges and would continue to do so. Members went on to discuss the potential reasons for excessive balances as well as continuous budget deficits. A Member who was a former Chair of the Schools Forum added that school balances were carefully monitored by the Forum and the issue of high balances had been raised at the last meeting as an area of concern.

With regard to the revenue outturn report for Children's Services, a Member queried the inclusion of a £70,000 contribution from the Youth Service towards Rossmere Skate Park as this project had not yet commenced to which the Chief Finance Officer agreed to investigate this issue and provide a written response following the meeting.

In relation to Area Based Grants, as detailed in Appendix 1/N, Members referred to previous discussions at the Council Working Group regarding the working neighbourhoods fund and requested clarification as to whether the £43,000 originally allocated for the Connexions project had been included in the working neighbourhoods fund. It was noted that this issue would be further explored by the Children's Services Scrutiny Forum as part of the

budget monitoring process. The Chief Finance Officer advised that he would explore the query further and provide clarification in a written response to this Committee.

Recommended

- (i) That the contents of the report, be noted.
- (ii) That the Chief Finance Officer provide a written response to all Members of the Committee in relation to the issues raised, as detailed above, in respect of Rossmere Skate Park and Connexions Centre.

36. Capital and Accountable Body Programme Outturn 2009/10 *(Chief Finance Officer)*

The Chief Finance Officer presented a report which provided details of the Council's overall Capital and Accountable Body Programme for 2009/10. A detailed and comprehensive report was submitted to Cabinet on 6 September 2010 and was attached as Appendix 1.

With regard to Appendix 1/H a query was raised as to why supported prudential borrowing was required to support various Transport and Neighbourhoods schemes if other sources of funding was available. The Chief Finance Officer agreed to provide clarification following the meeting.

A Member expressed concern that a cost of £55,000 for a replacement boiler at Rossmere Youth Centre was excessive to which the Chief Finance Officer advised that a breakdown of costs could be provided by the Engineering Unit and included in a written response.

In response to a query in relation to funding for Dyke House and the Transport Interchange, the Chair provided clarification following which the Chief Finance Officer agreed to provide further information regarding the rail measures interchange Phase 1 capital schemes.

In relation to Appendix F which provided a summary of the Culture, Leisure and Tourism's Capital Programme and in response to a Member request for further information, the Chief Finance Officer agreed to provide a breakdown of how the funding for Rossmere Skate Park was made up.

Recommended

That the report be noted and the Chief Finance Officer provide a written response to all Members of the Committee in relation to the issues raised, as detailed above, in relation to a breakdown of funding for Rossmere Skate Park, Rossmere Youth Centre boiler replacement and rail measures interchange Phase 1 capital schemes.

37. Scrutiny Involvement in the Budget Setting Process for 2011/12 – Proposed Timetable *(Scrutiny Manager)*

The Scrutiny Manager reported on the proposed timetable for the Scrutiny Co-ordinating Committee and the four standing Scrutiny Forums' involvement (with the exception to the Health Scrutiny Forum) in the budget setting process for 2011/12. A copy of the timetable was attached at Appendix A for Members' consideration.

In order to meet the statutory timescales of approving the Authority's budget for 2011/12, it was noted that additional meetings of the Scrutiny Co-ordinating Committee and the four standing Scrutiny Forums may need to be scheduled where necessary.

Recommended

That the proposed timetable for the Scrutiny Co-ordinating Committee and the four standing Scrutiny Forums' involvement in the budget setting process for 2010/11, be noted.

38. Scrutiny Investigation into the Provision of Face to Face Financial Advice and Information Services in Hartlepool – Scoping Report *(Scrutiny Manager)*

The Scrutiny Manager presented a scoping report for the Forum's investigation into Safeguarding of Adults.

The aim of Investigation

To, as part of the child poverty eradication agenda, explore and evaluate the provision of 'face to face' financial advice and information services in Hartlepool.

Proposed Terms of Reference

- (a) To gain an understanding of how 'face to face' financial advice and information services are provided in Hartlepool (including areas of partnership working);
- (b) To examine how effective / efficient the provision of 'face to face' financial advice and information services in Hartlepool are in meeting the needs of Hartlepool residents;
- (c) To seek the views of service users and the groups / bodies that are responsible for the provision of 'face to face' financial advice and information services in Hartlepool;

- (d) To identify and compare examples of good practice in the provision of face to face financial advice and information services;
- (e) To gain an understanding of the impact of current and future budget pressures on the way in which face to face financial advice and information services are provided in Hartlepool; and
- (f) To explore how face to face financial advice and information services could be provided in the future, giving due regard to:-
 - (i) Improving the effectiveness and efficiency of the way in which the service is currently provided; and
 - (ii) If / how the service could be provided at a reduced financial cost (within the resources available in the current economic climate).

Potential Areas of Enquiry/Sources of Evidence

- (a) Member of Parliament for Hartlepool;
- (b) Elected Mayor;
- (c) All Cabinet Members;
- (d) The Director / or appropriate officers from the:
 - Child and Adult Services Department;
 - Regeneration and Neighbourhoods Department; and
 - Chief Executives Department.
- (e) Representatives from Groups / bodies who provide face to face financial advice and information services;
 - (i.e. Connected Care, Citizens Advice Bureau (CAB), West View Advice and Resource Centre, The Council's Benefits Team, Job Centre Plus and Her Majesty's Revenue and Customs (HMRC)).
- (f) Representatives from Groups / bodies who navigate individuals towards face to face financial advice and information service providers;
 - (i.e. the Credit Union, etc)
- (g) Local residents, service users and interested groups;
 - (i.e. Financial Inclusion Partnership, Hartlepool Peoples Centre, Hartlepool Local Improvement Network (LINK), Hartlepool Carers, 50+ Forum, MIND, Older Persons Local Implementation Team,

Hartlepool Mental Health Local Implementation Team, Learning Disability Partnership Board, Life Chances Partnership Board, Community Network; Community Consultation Group; Manor Residents Association, Hartlepool Special Needs Support Group)

- (h) Another Local Authority as an example of ‘good practice’;
 - (i.e. Suggestions to be detailed at the meeting)
- (i) Outside organisations / individuals;
 - (i.e. Linda Evans, Regional Financial Inclusion Champion).
- (j) Representatives of minority communities of interest or heritage (Expressions of interest have been sought from such groups through the HVDA – expressions of interest so far received from the Hartlepool People Centre); and
- (k) Ward Councillors.

The report included the process for seeking additional funding over the course of the investigation together with details of the proposed timetable.

With regard to the possible options to obtain the views of service users who may not wish to participate in a formal scrutiny meeting, it was suggested that Housing Hartlepool, NDC and the Council’s Hartbeat magazine be utilised as a method of consultation. In order to encourage service users to participate in the consultation process, Members were of the view that a free prize draw may be appropriate.

In terms of sharing examples of best practice, it was pointed out that Leeds Council was one of the leading authorities on financial inclusion issues and, as such, the Committee was of the view that Leeds should be included in the sources of evidence and either be invited to Hartlepool as part of the evidence gathering process or a site visit to Leeds be arranged. In addition, it was highlighted that documentary evidence from Liverpool University and organisations who championed financial inclusion should also be utilised as a form of reference.

Recommended

The proposed remit for the investigation, terms of reference and potential areas of enquiry/sources of evidence were agreed as detailed above subject to the following additions:--

- (a) That Leeds Council be included in the sources of evidence.
- (b) Documentary evidence be explored from Liverpool University and organisations who championed financial inclusion.
- (c) Housing Hartlepool, NDC and the Council’s Hartbeat magazine be utilised as a method of consultation with service users.

39. Request for Funding to Support the Neighbourhood Services Scrutiny Forum's Current Scrutiny Investigation *(Scrutiny Manager)*

The Scrutiny Manager reported on a request for funding from the Dedicated Overview and Scrutiny Budget.

The Neighbourhood Services Scrutiny Forum had requested approval for £89.46 to fund a site visit to 20mph zones in Hartlepool and £138.20 to fund a site visit to another local authority to identify best practice, details of which were attached at Appendix 1 to the report.

Recommended

That the request for funding totalling £227.66 from the Dedicated Overview and Scrutiny Budget, be approved.

40. Call-In Requests

None.

41. Local Government (Access to Information) (Variation) Order 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph 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 No. 42 – Matters Arising from the Minutes - Call-in of Decision: Senior Management Review 2008 - namely information which is likely to reveal the identity of an individual (para 2)

42. Matters Arising from the Minutes - Call-in of Decision: Senior Management Review 2008 *(Chair of Scrutiny Co-ordinating Committee)* This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information which is likely to reveal the identity of an individual (para 2)

Details of matters arising from the minutes were outlined in the confidential section of the minutes.

Recommended

Details can be found in the confidential section of the minutes.

The meeting concluded at 3.50 pm.

CHAIR

SCRUTINY CO-ORDINATING COMMITTEE

6 October 2010
(Reconvened from the 24 September 2010)



Report of: Chief Customer and Workforce Services Officer

Subject: CALL-IN OF DECISION - COUNSELLING SERVICES

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to provide additional information to the committee regarding the provision of Counselling services to Council staff.

2. BACKGROUND

- 2.1 The Chief Customer and Workforce Services Officer presented a report to the Performance Portfolio Holder on 11 August 2010 recommending the procurement of a Counselling Service. It was recommended that this project be implemented in collaboration with Middlesbrough Borough Council. These recommendations were approved by the Portfolio Holder but Scrutiny Co-ordinating Committee “called in” this project on 20 August 2010. On the 27th August 2010 the committee discussed the decision and requested further investigation. A further paper was prepared containing supplementary information and submitted to the committee meeting on 24th September 2010. At this meeting whilst the information provided was welcomed further information and analysis was requested. The meeting was adjourned to 6th October 2010 to allow for further investigation by officers in order to provide additional information on service usage and costs. This report has been prepared in order to provide this information where it is available.

3. ADDITIONAL INFORMATION

- 3.1 As discussed in earlier reports the Council, in addition to taking its statutory responsibilities very seriously, has a key corporate aim to “Promote Healthy Working” by taking “a proactive approach to the mental, emotional, spiritual and physical health, safety and general well being of all employees”.
- 3.2 The Council has endeavoured to meet the aims of this strategy by regularly reviewing the conditions of employment but also providing appropriate Wellbeing support where appropriate.
- 3.3 For a number of years one of the wellbeing support initiatives provided by the Council has been in relation to mental health. This mental health support has in the past consisted of an individual paid on an hourly rate depending

upon usage and organisations providing counselling services on an hourly rate or per session basis. See confidential **Appendix 1** containing cost which includes commercially sensitive pricing information. **This item contains exempt information under Schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information)(Variation) Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information).**

- 3.4 As employee wellbeing services have been developed to help improve sickness absence performance and support staff the counselling service has been used more significantly.

4. RECOMMENDATIONS

- 4.1 That Members of the Forum note the content of the report and where appropriate seek clarification.
- 4.2 That consideration be given to the whether the decision was taken in accordance with the Principles of Decision Making (as outlined in Section 13 of the Constitution).
- 4.3 That should the Committee be of the view that the decision was not taken in accordance with the Principles of Decision Making, comments be formulated for consideration by the Performance Portfolio Holder.

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BACKGROUND PAPERS

The following background paper was used in the preparation of this report:-

- (i) Report and Minutes of the Performance Portfolio meeting held on 11th August 2010.
- (ii) Report and Minutes of the Joint Health Scrutiny Forum and Scrutiny Co-ordinating Committee meeting held on 27th August 2010.
- (iii) Report of the 24th August 2010.
- (iv) Report of the Scrutiny Co-ordinating Committee on the 24 September 2010.

SCRUTINY CO-ORDINATING COMMITTEE

24 September 2010



Report of: Scrutiny Manager

Subject: Call-In of Decision: Counselling Services – Briefing Note

1. PURPOSE OF THE REPORT

- 1.1 To provide Members of the Scrutiny Co-ordinating Committee with the relevant information relating to the Call-In of the Counselling Services decision taken by the Performance Portfolio Holder on 13 August 2010, as per the Authority's Call-In procedure:-

Minute No. 6 – Counselling Services

“The Portfolio Holder noted the content of the report and approved the procurement exercise on the basis of 60% quality and 40% price”

- 1.2 A full extract from the Decision Record is attached at **Appendix A**.

2. BACKGROUND INFORMATION

- 2.1 At the decision making meeting of the Performance Portfolio Holder on 13 August 2010, a report was considered in relation to the intention to procure a provider of counselling services and seek the Portfolio's Holder's approval for the letting of the contract on a price/performance basis. A copy of the report is attached at **Appendix B**.
- 2.2 Following the decision taken by the Performance Portfolio Holder on 13 August 2010, as outlined in Section 1.1 above, a Call-In Notice was submitted to the Proper Officer by Members of the Council. A copy of this Call-in Notice is provided at **Appendix C**.
- 2.3 As the Call-In Notice met all the constitutional requirements, the Scrutiny Co-ordinating Committee, at its meeting on the 27 August 2010, gave consideration to the signatories view / opinion that the decision had been taken in contravention of the principles of decision making (as outlined in Article 13 of the Constitution). The reason identified in the Call-In Notice being 'Best value, clarity of aims and desired outcomes: due consideration of options available, efficiency, reasonableness'.

- 2.4 Having considered the content of the Call-In Notice, the Scrutiny Co-ordinating Committee supported the need look closer at how the decision had been made and accepted the Call-In Notice.
- 2.5 It was also agreed that the Call-In would be retained by the Scrutiny Co-ordinating Committee for consideration in a practical and timely manner. In order to facilitate this, it was agreed that an additional meeting of the Scrutiny Co-ordinating Committee would be convened today (24 September 2010) to deal with the Call-In.

3. CALL-IN PROCESS – NEXT STEPS

- 3.1 In the consideration of the Call-In, the Scrutiny Co-ordinating Committee is required in relation to the decisions to, in the first instance, focus its discussions solely at the reasons outlined within the Call-In Notice. In doing this, Members are asked to consider the additional information provided by the Chief Customer and Workforce Services Officer at **Item 9.1(b)** of this agenda. The Chief Customer and Workforce Services Officer will be in attendance at today's meeting to present her report and answer any further questions felt to be appropriate.
- 3.2 Following his attendance at the Scrutiny Co-ordinating Committee meeting on the 27 August 2010, a further invitation was also extended to the Performance Portfolio Holder to attend today's meeting to answer any further questions felt to be appropriate. The Portfolio Holder has indicated that he will unfortunately be unable to attend today's meeting.
- 3.3 Having fully discussed the reasons outlined within the Call-In Notice there are two ways forward:-
- (i) Should the Committee be satisfied that the principles of decision making have not been contravened, the decision(s) will be effective immediately; or
 - (ii) Should the Committee remain concerned about the decision(s), comments should be agreed for consideration by the Portfolio Holder at the earliest opportunity. The next possible Portfolio Holder meeting being held on the 26th October 2010.
- 3.4 Following the receipt of comments from Scrutiny, the Performance Portfolio Holder would be required to reconsider the decision in light of them and either reaffirm or amend the decision. A response from the Performance Portfolio Holder must be referred to the Scrutiny Co-ordinating Committee, setting out the reasons for reaffirming or modifying the decision, in relation to the issues raised by the Committee.

4. RECOMMENDATIONS

- 4.1 That consideration be given to the whether the decision detailed in Section 1.1 was taken in accordance with the Principles of Decision Making (as outlined in Section 13 of the Constitution).
- 4.2 That should the Committee be of the view that the decision detailed in Section 1.1 of this report was not taken in accordance with the Principles of Decision Making, comments be formulated for consideration by the Performance Portfolio Holder.

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BACKGROUND PAPERS

The following background paper was used in the preparation of this report:-

- (i) Hartlepool Borough Council's Constitution;
- (ii) Call-In of Decision: Counselling Services – Briefing Note – Scrutiny Co-ordinating Committee (27 August 2010); and
- (iii) Agenda and Minutes – Performance Portfolio Holder (13 August 2010).

PERFORMANCE PORTFOLIO DECISION RECORD 13 August 2010

Minute Extract

The meeting commenced at 4.00 pm in the Civic Centre, Hartlepool

Present:

Councillor Jonathan Brash (Performance Portfolio Holder)

Officers:

Andrew Atkin, Assistant Chief Executive
Caroline O'Neill, Assistant Director (Performance and Achievement)
Joanne Smithson, Head of Performance and Partnerships
Stuart Langston, Health, Safety & Wellbeing Manager
Sarah Bird, Democratic Services Officer

6. Counselling Services – *Health, Safety & Wellbeing Manager*

Type of Decision

Non key.

Purpose of Report

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

Issues for Consideration

The report detailed why it was important for the Authority to provide counselling services for employees and that feedback from those using this service had expressed support for this service. It was proposed to undertake a joint procurement exercise with Middlesbrough Borough Council. By working in partnership with the other Local Authority it was hoped that efficiency savings could be achieved, however it was clarified that services for Hartlepool would be local to its area. It was acknowledged that the provision of this service was a contributory factor towards the reduction in the number of staff sickness days.

The Portfolio Holder sought clarity on the reasoning behind the 60:40 quality price ratio for evaluating any tender submissions received and was informed that due to the limited variation in prices associated with such services the weighting in favour of quality was necessary to ensure the appropriate service

was procured. The portfolio holder expressed his support for this. The Portfolio Holder asked whether consultation had been undertaken with the NHS and was informed that links were being developed with the assistant director of public health.

Decision

The Portfolio Holder noted the content of the report and approved the procurement exercise on the basis of 60% quality and 40% price.

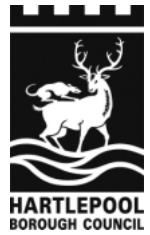
P J DEVLIN
CHIEF SOLICITOR

PUBLICATION DATE: 19 August 2010

PERFORMANCE PORTFOLIO

Report to Portfolio Holder

13 August 2010



Report of: Chief Customer & Workforce Services Officer

Subject: COUNSELLING SERVICES

SUMMARY

1. PURPOSE OF REPORT

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

2. SUMMARY OF CONTENTS

The report provides background to the planned procurement project and proposes a basis for selecting the successful contractor.

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Holder has responsibility for Performance Management.

4. TYPE OF DECISION

Non-key.

5. DECISION MAKING ROUTE

Performance Portfolio Holder only.

6. DECISION(S) REQUIRED

The Portfolio Holder is requested to approve the planned procurement project and approve conducting the procurement exercise on the 60:40 quality/price basis proposed.

Report of: Chief Customer & Workforce Services Officer

Subject: COUNSELLING SERVICES

1. PURPOSE OF REPORT

- 1.1 To inform Portfolio Holder of the intention to procure a provider of counselling services and to obtain Portfolio Holder's approval for the procurement exercise and to letting the contract on a price/performance basis is also sought.

2. BACKGROUND

- 2.1 One of the Council's strategic objectives is to improve corporate plans to promote Healthy Working and one of the ways to achieve this is by the Council taking a proactive approach to the mental, emotional, spiritual and physical health, safety and general well being of all employees and those affected by the activities of the Council. To assist the Council in this regards it requires pro-active professional advice and clear management responsibilities.
- 2.2 In addition the Council through its performance management system strives to reduce sickness levels. To assist managers and employees it 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. The Council is also committed to adjusting working arrangements to support individual needs wherever it is reasonable to do so.
- 2.3 The counselling service provides support to employees to ensure that staff who have reported mental health issues do not have these conditions aggravated by the work they do on behalf of the Council. The service also provides support during periods of poor mental health, help them stay at work and, where this is not possible, to support employees to return to work.
- 2.4 Access to counselling is normally via a referral from a manager to the occupational health service who would recommend counselling as a way to progress a case. The occupational health adviser would then monitor progress in order to facilitate a return to work.
- 2.5 At the current time, the Council utilises the services of an external counselling service provider, Hartlepool Mind. The current service is

9.1(a) Appendix B

now well used by managers and employees to provide support, and as such, it allows appropriate sickness case management to help maintain people at work and provide advice on appropriate support or workplace adjustments.

- 2.6 The current service is provided on a call-off contract but the success of the service is such that in order to provide continuity of the service and to allow closer working between a service provider and the Council it is proposed that the service is procured on a longer term contract. It is proposed that this contract will be subject to open competition through a tender process, will operate for three years with the potential, subject to satisfactory performance, for an extension of a further 2 x twelve month periods.
- 2.7 Discussion has been held with other authorities within the Tees Valley regarding their services, and Middlesbrough Borough Council are in a similar position, and as such it is proposed to undertake a joint procurement exercise between the two authorities although any successful provider would have to ensure that the service was available locally.

3. PROPOSALS

- 3.1 Initial informal investigations have shown that there are some potential suppliers in the marketplace. However, the Council does not have an approved contractors list that can be used. Therefore it has been deemed necessary to invite initial expressions of interest to begin the selection process. The Public Contract Regulations 2006 (Schedule 5) determine that services categorised as “Health and Social Services” can be classed as Part B services. This means there is no requirement for any contract notice to be published in the Official Journal of the European Union.
- 3.2 It is proposed that an invitation for Expressions of Interest be advertised in the local press at the end of September 2010. It is further proposed that a restricted tendering procedure is used and a pre qualifying questionnaire is used for the initial short listing purposes.
- 3.3 Organisations that are short listed will then be invited to tender for the contract. It is anticipated that tender submissions will be available for opening at the Contract Scrutiny Panel meeting on 1st November 2010, although this date may be subject to slight change.
- 3.4 It is proposed to conduct the tender exercise using a 60% quality and 40% price assessment ratio.
- 3.5 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.

4. RISK IMPLICATIONS

- 4.1 It can take up to 12 weeks from GP referral for Counselling for an appointment to be provided and as such most of the cases currently referred would be absent during this time with little ability for a manager to progress or deal with the underlying cause of the ill health.

5. FINANCIAL CONSIDERATIONS

- 5.1 By market testing and working in partnership with Middlesbrough Borough Council it is hoped that efficiency savings can be achieved for the cost of the service.

6. RECOMMENDATIONS

- 6.1 That the Portfolio Holder notes the content of the report and approves the procurement exercise on the basis of 60% quality and 40% price.

7. CONTACT OFFICER

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Hartlepool Borough Council

Overview and Scrutiny – Call-in Notice – All Members (with the exception of Executive Members)

1. Which decision would you like to call-in?

(Please include details of the decision, when it was taken and by whom)

PERFORMANCE PORTFOLIO DECISION RECORD.
RE COUNSELLING SERVICES. PUBLISHED 19/8/10.

2. What are the reasons for calling-in this decision?

Call-in must only be used in exceptional circumstances and the justification for the call must be either:

- that the decision or proposed decision is outside the Budget and Policy Framework
- that the decision was not taken in accordance with the principles of decision making set out in Article 13 of the Constitution.

BEST VALUE, CLARITY OF AIMS & DESIRED OUTCOMES; DUE CONSIDERATION OF OPTIONS AVAILABLE, EFFICIENCY, REASONABLENESS.

Councillor	Position and Party Group	Signature
1. Kevin Crampton	LABOUR	<i>Kevin Crampton</i>
2. MA James	Labour.	MA James.
3. ANN MARSHALL	LABOUR	AMarshall
4. C AKERS-BELCHER	LABOUR	<i>C Akers-Belcher</i>
5. R FLINTOFF	LIB DEM	<i>R Flintoff</i>

NB. Any Member (with the exception of Executive Members) may initiate call-ins providing they have the support of at least four other members of the Council. The signatories must represent at least two of the Council's political groups.

Councillor: C AKERS-BELCHER.

Signed:

C Akers-Belcher

Date:

20/8/10.

For office use only

Date received:

Initials:

SCC Agenda:

SCRUTINY CO-ORDINATING COMMITTEE

24 September 2010



Report of: Chief Customer and Workforce Services Officer

Subject: CALL IN OF DECISION: COUNSELLING SERVICES
– ADDITIONAL INFORMATION

1. PURPOSE OF REPORT

1.1 The purpose of this report is to provide additional information to the committee regarding the provision of Counselling services to Council staff.

2. BACKGROUND INFORMATION

2.1 The Chief Customer and Workforce Services Officer presented a report to the Performance Portfolio Holder on 11 August 2010 recommending the procurement of a Counselling Service. It was recommended that this project be implemented in collaboration with Middlesbrough Borough Council. These recommendations were approved by the Portfolio Holder but Scrutiny Co-ordinating Committee “called in” this project on 20 August 2010. On the 27th August 2010 the committee discussed the decision and requested further investigation. This paper provides supplementary information and analysis designed to support and advise the members in order to address any concerns

2.2 In October 2006 the Council adopted a People Strategy which was a three year strategy and “sets out the long-term vision for the Council’s style and culture as an employer, with personal and organisational improvement at its very heart.” One of the key aims of this strategy was to “Promote Healthy Working” by taking “a proactive approach to the mental, emotional, spiritual and physical health, safety and general well being of all employees”.

2.3 The Council has endeavoured to meet the aims of this strategy by regularly reviewing the conditions of employment but also providing appropriate Wellbeing support where appropriate.

2.4 In 2008 the Council was visited by an inspector from the Health and Safety Executive (HSE) visited the Council to discuss issues associated with work related stress. Whilst the Inspector wanted the Council to undertake further assessment into the causes of stress and to undertake a stress risk

assessment in accordance with the Stress Management Standards, they were very complimentary about the support provided. Following this visit a project to undertake a stress risk assessment was commenced. A key part of this project was to adapt and use the employee survey which is undertaken on a regular basis. The latest survey was undertaken in February 2009. The analysis of this survey identified some key issues relating to pressure and stress which are summarised below;

- Two out of five employees (40%) felt unduly pressured at present; higher than in earlier surveys. Pressure was typically attributed solely to work and continued to be experienced most among employees in higher grades.
- Increasing workload (72%) remained the principal reason for feeling unduly pressured; though it was down significantly on earlier surveys. Uncertainty about the future (54%), newly added this time, competing work demands (52%), up on earlier surveys, and organisation change (43%), also up on previous, were also contributory factors.
- Half of employees (50%) often worried about work outside working hours; up from around two out of five in earlier surveys. Again, those higher up the pay scale were more likely to worry.
- Slightly less than one in four employees (24%) agreed that pressure was affecting their job performance. Once more, employees in the higher pay bands were more likely to agree.
- Over a quarter (28%) of employees felt that balancing home and work responsibilities contributes to the pressure they feel at work. Employees in Children's Services, and those higher up the pay scale were more likely to feel this way.
- Almost three quarters of employees said that their workload had increased either a lot (39%) or a little (33%) in the last 12 months; like in previous surveys. Employees within Chief Executive's and those higher up the pay scale were more likely to say their workload had increased 'a lot'.
- Three out of ten employees (31%) had had to regularly put in a lot of extra time in the last 12 months to meet the demands of their workload. Employees in Children's Services, and those higher up the pay scale were more likely to have had to do this.
- A majority of employees (55%), as in earlier surveys, felt that their workload of the last twelve months had been 'about right'. However, a sizeable minority (42%) said it had been 'too busy'. Once more, employees higher up the pay scale were more likely to feel the latter.

2.5 In order to further investigate the findings of the survey and to comply with the HSE's requirements an independent qualitative assessment was commissioned which discussed with staff and managers from "hot spot"

areas (as identified by the employee survey) their views as regards the Council's approach to managing stress. This investigation also covered the opinions regarding the Council's mental health support services. The extract below was taken from the recommendations contained in the independent report;

"The research suggests that the organisation can be pretty pleased with the way the support services for which Human Resources and Occupational Health are responsible work now. They are generally well thought of by managers and the individuals who have used them. But there is scope for improvement. The following learning points for possible action can be drawn from the research:

Support services should continue to be promoted. Employees need to know practical details, like what they are, who they are for, where and how they can be accessed, and for how long. But, just as importantly, they also need to be reassured that it's perfectly normal to need help sometimes. This will help to address any stigma that exists around the services.

Managers must be able to recognise when individual team members are under pressure and what the signs of stress are. Partly this goes back to closing the gap between management and the frontline, but some focused training on the telltale signs and what to do in response, perhaps as part of the proposed Management Academy, would be welcomed by some of the managers interviewed in this research.

Also, managers need to understand how important it is to act and to seek help when necessary when there are problems that are not quickly resolved. This is a key concern of the HR & OH specialists who know from experience that delays only make the problems worse. The specialists themselves need to continue to work to get this message to managers and it should be part of any training provided on this topic.

Correspondingly, when managers seek help from the specialists the response needs to be quick and effective. Performance in this respect therefore needs to be measured and tracked principally with a view to making improvements."

3. CONSIDERATION OF ISSUES

- 3.1 Whilst it is pleasing to note the comments from the investigation it is important to recognise that with a "call off" situation with a local supplier of counselling services this does not provide for continuity of service in that the provider could at any time fail to be able to facilitate the contract or adjust their prices. Similarly the Council could move their service provision to an alternate provider e.g. by the current providers failure to deliver an effective service.

- 3.2 As the Councils budget situation has become challenging and people have become aware of the services and support available the counselling service and the has become more utilised and as such it is appropriate in accordance with the Council's Constitution in relation to managing contracts that an appropriate market testing arrangement is put in place.
- 3.3 Following the request of the Scrutiny Committee all the General Practice Surgeries within the Borough of Hartlepool were contacted and whilst some practices felt unable or unwilling to comment most confirmed that they would refer to Hartlepool Mind or to the Improving Access to Psychological Therapies (IAPT) programme. However the IAPT programme, which is provided by a consortium, is subject to certain qualification, such as condition specific, criteria. The service is also based on Cognitive Behaviour Therapy which is not suitable for everybody or condition.
- 3.4 Further soft market testing was undertaken which indicated that in addition to Hartlepool Mind there was at least one other private provider who operate in the Hartlepool area but there were a number of others operating in the Tees Valley area primarily in Stockton or in Middlesbrough.
- 3.5 In order to ensure that the Council obtains the best quality service at reasonable cost it is important that a formal tendering process is undertaken. This not only ensures the Council meets its legal responsibilities regarding the delivery of services but also provides a formal framework to ensure best value.

4. RECOMMENDATIONS

- 4.1 That Members of the Committee note the content of the report and where appropriate seek clarification.

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BACKGROUND PAPERS

The following background paper was used in the preparation of this report:-

- (i) Report and Minutes of the Performance Portfolio meeting held on 11 August 2010.