

PERFORMANCE PORTFOLIO DECISION RECORD

15 June 2011

The meeting commenced at 3.00 pm in the Civic Centre, Hartlepool

Present:

Councillor: Jonathan Brash, Performance Portfolio Holder

Also present:

Councillor Chris Simmons

Officers: Andrew Atkin, Assistant Chief Executive
Peter Turner, Performance and Consultation Manager
Wally Stagg, Organisational Development Manager
Margaret Hunt, Development Manager
Angela Armstrong, Principal Democratic Services Officer

1. **Qualification Based Training Application** (*Director of Child and Adult Services*)

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 Child and Adult Services Department.

Issue(s) for consideration by Portfolio Holder

The Qualification Based Training Guide was approved by the Portfolio Holder in 2007 and indicated that in some circumstances special executive approval was necessary, including where the course lead to a qualification at Masters level or above. The application submitted by an Assistant Director related to a qualification at Doctorate Level and therefore required special executive approval.

The Development Manager from Child and Adult Services indicated that the majority of the course would be undertaken by self learning and would therefore have little impact upon the officer's core role and duties. The cost of

the training was approximately £1,790 per annum for 3 years. However it was noted that this officer had created a revenue stream through undertaking work with Darlington Borough Council on a range of projects which would partly fund the cost of the training. The Development Manager added that the course would help the officer be a more effective leader and manager of staff and resources. However, the Portfolio Holder questioned whether any other Assistant Directors had undertaken training in those areas. The Organisational Development Manager confirmed that in recent years some Chief Officers had undertaken similar courses which required executive approval.

The Portfolio Holder had concerns that there may be other employees on lower grades that were unable to afford training of this nature and he sought clarification on the level of training budget included within the departmental budget. The Development Manager confirmed that there was a fairly substantial workforce development budget, including an Early Intervention Grant, within Child and Adult Services due to the need for professional training within speciality areas of work including social care.

The Chair of the Children's Services Scrutiny Forum was in attendance and indicated that this officer had the potential to develop more and this course would undoubtedly enhance their value to the Authority. The Portfolio Holder did not disagree but was concerned at releasing funding for an officer on that level in view of the increasing pressure on departmental budgets. In response to a question, the Organisational Development Manager confirmed that the usual arrangements to recoup any training expenditure would apply should the officer leave the authority within the specified timescale.

The Development Manager confirmed that the training requirements of the officer had been discussed as part of the corporate appraisal arrangements, during which it was noted how significantly the officer's role had changed incorporating other areas of work since they were first appointed.

The Portfolio Holder acknowledged that he did not take any pleasure in this decision but felt that this request should be refused as in the current economic climate, it was difficult for the local authority to justify funding any training for an employee at this level beyond what was required to carry out the role employed to do. He considered that any training funds available should be offered to those employees who needed to be upskilled and that funding should be prioritised for employees who required training/qualifications for the jobs that they currently undertake. However, the Portfolio Holder noted that this decision was no reflection on the officer concerned and hoped that they would look to improve themselves professionally in the future.

Decision

The application for post-entry training was refused.

2. Corporate Complaints Procedure *(Assistant Chief Executive)*

Type of decision

Non key.

Purpose of report

To seek Portfolio approval of the revised corporate complaints procedure.

Issue(s) for consideration by Portfolio Holder

The corporate complaints procedure was last revised in 2008. The Council had undergone a number of changes since then and the procedure no longer reflected how the Council operated. It was regarded as good practice to review the procedure on a regular basis although the procedure operated effectively so there was no need for major changes.

The Coalition Agreement “Our Programme for Government” included the commitment to “abolish the Standards Board regime”. It was intended to effect the abolition of the Standards Board regime through the Localism Bill. It was anticipated that the Bill will receive Royal Assent late-2011. The section of the procedure dealing with Member complaints was affected by this legislation and therefore the procedure will need to be reviewed and amended when the legislation was enacted.

The Assistant Chief Executive added that possible conflicts of interest both for officers and Members from complaints received needed to be addressed within the Policy. It was suggested that if an investigating officer considered that they had a conflict of interest in a complaint received, the ability to defer the complaint to another officer would be available to them. Similarly for Portfolio Holders, who would have the ability to defer the complaint to another Portfolio Holder. In response to a question from the Portfolio Holder, the Assistant Chief Executive indicated that guidance would be drafted in conjunction with Legal Services in relation to what constituted an interest. The Portfolio Holder requested a copy of the guidance produced prior to circulation.

The Portfolio Holder questioned the current reporting arrangements of complaints received. The Assistant Chief Executive confirmed that statistics only were provided to the Chief Executive or Corporate Management Team on a quarterly basis and that a report was not generated for this. It was noted that in view of reduced resources, there was an intention that the Portfolio Holder would be provided with this statistical information also on a quarterly informal basis. This informal reporting would be subject to review should the Portfolio Holder request it.

The Portfolio Holder had concerns about the public reporting of complaints received and suggested that where there was an increase of 50% or more in the number of complaints upheld within a department or Portfolio Holder responsibility, this should be reported to the relevant Portfolio Holder. In addition to this, should the number of complaints received generally increase by more than 100% a contextualised report should be submitted to the relevant Portfolio Holder. The Assistant Chief Executive indicated that this would be disseminated to departmental complaint representatives who collate the departmental information on complaints. The Portfolio Holder requested that should any of the above reports be generated, they should be included within the Corporate Complaints Annual Report submitted to the Portfolio Holder for Performance.

The Portfolio Holder stressed the importance of monitoring complaints received that related to services that were contracted out as these services remained the responsibility of the Council despite being undertaken via contracts.

The Chair of the Children's Services Scrutiny Forum highlighted that the report needed to reflect that the General Purposes Committee Chair was no longer a self-selecting position from the Vice Chair of Council and that he too believed that public reporting of complaints was extremely important.

During the discussions, the Portfolio Holder questioned the deadline for response times to complaints. The Assistant Chief Executive confirmed that this was not a statutory deadline but was agreed as part of the Council's Corporate Complaints Policy to ensure all complaints were dealt with in a timely and efficient manner. The Performance and Consultation Manager indicated that in situations where it was anticipated that the deadline may be missed, this would be communicated to the complaint at the earliest opportunity.

Decision

- (i) The Corporate Complaints Procedure was approved subject to the following amendments:
- (a) That where there was an increase of 50% or more in the number of complaints upheld within a department or Portfolio Holder's responsibility, this should be reported to the relevant Portfolio Holder.
 - (b) Should the number of complaints received generally increase by more than 100% a contextualised report should be submitted to the relevant Portfolio Holder.
 - (c) That should any of the above reports be generated, they should be included within the Corporate Complaints Annual Report submitted to the Portfolio Holder for Performance.
 - (d) That the frequency of reporting to the Performance Portfolio be

reviewed should the Portfolio Holder deem it necessary.

(ii) That guidance be drafted by the Assistant Chief Executive in conjunction with the Chief Solicitor and be provided for Members and Officers in relation to what constitutes a conflict of interest in relation to dealing with complaints received and that a copy be provided to the Portfolio Holder for Performance prior to circulation.

3. Corporate Complaints 2010/11 (*Assistant Chief Executive*)

Type of decision

Non key.

Purpose of report

To report to the Portfolio Holder on complaints performance for 2010/11.

Issue(s) for consideration by Portfolio Holder

The report covered performance information on formal complaints for 2010/11. The numbers of formal complaints were at a similar level to previous years. Departments continued to work on remedying complaints and learning from these contracts with service users.

The Portfolio Holder noted how Departments had learned from complaints received and the actions taken to avoid further complaints and officers were commended for this. It was highlighted that because the number of complaints were low, any change in these numbers presented a high percentage change.

In relation to the complaints received within the social care area, it was noted that the number of complaints had increased from three in 2009/10 to eight 2010/11 and the Portfolio Holder suggested that this should be discussed at a future meeting of the relevant Portfolio Holder in the public arena. However, the report did note that a change in the way social care complaints were reported had changed and caution should be taken on comparing 2010/11 with previous years.

Decision

The report was noted.

4. Chief Executive's Departmental Plan 2010/11 – 4th Quarter Monitoring Report (*Chief Finance Officer and Chief Solicitor*)

Type of decision

Non key.

Purpose of report

To inform the Portfolio Holder of the progress made against the key actions identified in the Chief Executive's Departmental Plan for 2010/11 for the period up to 31 March 2011.

Issue(s) for consideration by Portfolio Holder

The report highlighted the progress made against the actions contained within the Chief Executive's Departmental Plan for 2010/11 that were the responsibility of the Corporate Strategy Division and the Customer and Workforce Services Division. The Assistant Chief Executive indicated that further reports on acceptable and managed risk registers would be submitted to the Portfolio Holder.

The Portfolio Holder commended all staff across the Chief Executive's Department for their hard work and commitment to achieving these targets during what had been a difficult year.

The Portfolio Holder noted that the areas where key performance indicators had not been achieved within the Corporate Strategy Division were areas of perception and engagement. It was noted that a review was currently being undertaken of how the Council engages with the public to ensure that people feel confident they can participate and affect change.

In relation to Customer and Workforce Services Division, the Portfolio Holder acknowledged that the new Equality Act legislation was being examined to ascertain the relevance of the Corporate Equality Plan prior to implementation of the Plan. In response to a question, the Assistant Chief Executive confirmed that the People Framework contained a number of elements including training, appraisal, recruitment and retention of staff. Due to the recent reorganisation of staffing resources, an exercise was being undertaken to reprioritise the different elements within the Framework to ascertain what it would be useful to deal with first in terms of the issues facing the Authority in the next year.

Decision

The report was noted.

The meeting concluded at 3.50 pm

P J DEVLIN

CHIEF SOLICITOR

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