

## **PERFORMANCE PORTFOLIO DECISION RECORD**

14 September 2011

The meeting commenced at 3.00 p.m. in the Civic Centre, Hartlepool

### **Present:**

Councillor Jonathan Brash (Performance Portfolio Holder)

Officers: Andrew Atkin, Assistant Chief Executive  
Joanne Machers, Chief Customer and Workforce Services Officer  
Peter Turner, Performance and Consultation Manager  
Peter McIntosh, Head of Planning and Development  
Lisa Anderson, Research Officer  
Jo Stubbs, Democratic Services Officer

Also present

Councillors Chris Simmons and Hilary Thompson

### **13. Managing Pressure at work** *(Chief Customer and Workforce Services Officer)*

#### **Type of decision**

Non-Key

#### **Purpose of report**

To inform the Portfolio Holder of the adoption of a new managing stress at work policy and an associated guidance document for managers and advise the Portfolio Holder of some of the issues regarding managing pressure within the Council.

#### **Issue(s) for consideration by Portfolio Holder**

The financial issues faced by the Council had placed substantial pressures on all staff throughout the organisation. This had led to recent agreement between the Council and Trade Unions to adopt a revised policy on stress and the publication of an associated manager's guide. Copies of these were appended to the report along with a summary of the results of a recent study of the hours of work within the various Departmental Management Teams. This showed that the average hours worked by senior officers were 50 hours per week.

The Portfolio Holder noted that the Health and Safety Executive (HSE) had made a number of visits and queried whether this indicated underlying concerns about the Council as an employer. The Chief Customer and Workforce Services Officer felt that the reason for these visits was the Council's decision not to undertake a specific stress survey as suggested by the HSE and had instead included stress based questions within existing surveys. This decision had been taken because at the time major budget consultations were taking place and it was felt that the results of a stress survey would have been unfairly skewed. There had also been concerns at the additional time and resources which would be required. The Portfolio Holder was concerned that there could be a perception that the survey had not been carried out because officers might not like the answers. The Chief Customer and Workforce Services Officer denied that this was the reason, pointing out that pressure at work type questions had been asked in previous surveys.

The Portfolio Holder referred to reductions in absenteeism over the previous 5 years, asking if this suggested that stress was decreasing, given that it is now regarded as the number one cause of absence. The Chief Customer and Workforce Services Officer confirmed that stress was the cause of most absence and therefore should continue to be considered a priority.

In terms of the results of the study of work of Senior Managers the Portfolio Holder would support all stakeholders, including Executive members, engaging in discussion on this issue. He asked that the views of all stakeholders be taken as quickly as possible, including the views of senior management, prior to report coming back to the Performance Portfolio.

### **Decision**

- i. That the contents of the report and the risks to staff from pressure at work be noted
- ii. That the Portfolio Holder receive a report at a future meeting with proposals as to how the risks identified may be effectively managed

## **14. Complaints to the Local Government Ombudsman in 2010/11** *(Assistant Chief Executive)*

### **Type of decision**

Non-Key

### **Purpose of report**

To report on the content of the Local Government Ombudsman's Annual Review of complaints made against the authority in 2010/11.

### **Issue(s) for consideration by Portfolio Holder**

The report and its appendix outlined that the Local Government Ombudsman received 27 Hartlepool enquiries and complaints in the year to 31 March 2011.

This was a rise of 60% on the previous year however from October 2010 all complaints about injustice connected to adult social care services came under the ombudsman's jurisdiction. Without these types of enquiries or complaints the rise would have been 41%. The national increase was 21%. The Performance and Consultation Manager explained that the increase in the number of complaints received was in part explained by two issues generating 6 complaints.

Of the 27 enquiries and complaints received 22 had been, or were in the process of being, further investigated. Of these 8 had been judged to be premature by the ombudsman, although 4 of these complaints had been resubmitted by complainants dissatisfied with the way in which the Council had dealt with them. The other 4 had resulted in local settlements wherein the Council agreed to take what the ombudsman considered satisfactory action. Complaints were handled on an average of 27.3 days which was within the Local Government Ombudsman guidelines of 28 days.

The 2010 Annual Review was positive and did not highlight any areas of concern or make any recommendations for action. No public reports against the Council were issued.

The Portfolio Holder queried whether the ombudsman ever gave feedback on complaints which they dismissed. The Performance and Consultation Manager said they did not. He confirmed that the identity of the complainants were known to the Council. The Portfolio Holder noted that the average time taken to respond had increased from the previous year and asked whether this indicated an underlying problem. The Performance and Consultation Manager advised that this was a problem around response times from individual departments. The Portfolio Holder acknowledged this but felt that if officers were struggling to respond within the allotted time frame members should be informed particularly when considering future budget cuts. The Performance and Consultation Manager reported that no targets had been missed so far in this municipal year.

#### **Decision**

That the report be noted.

### **15. 35<sup>th</sup> Phase of Viewpoint – Citizen's Panel Results** (Assistant Chief Executive)

#### **Type of decision**

Non-Key

#### **Purpose of report**

- i. To provide an explanation of why topics were included in Viewpoint 35 and what departments plan to do with the results.
- ii. To inform the Portfolio Holder of the results from the 35<sup>th</sup> phase of

Viewpoint that was distributed to panel members in March 2011.

- iii. To provide feedback on what has been done with results from Viewpoint 29,30,31 and 32.

### **Issue(s) for consideration by Portfolio Holder**

The report presented the results from the 35<sup>th</sup> Viewpoint Questionnaire which included alcohol consumption in Hartlepool, culture and leisure activities in Hartlepool, Hartlepool beaches and Hartlepool and the 2012 Olympics.

Key findings were:-

- Viewpoint members tended to underestimate how much they could safely drink but half never kept track of how much they were drinking. They were more likely to have witnessed anti-social behaviour in the town centre rather than their individual areas. There was no overall majority in favour of fixed pricing and they were not convinced that an increase in pricing would be beneficial
- A majority of Viewpoint members had been impressed by Hartlepool's four cultural service venues (the Maritime Experience, Museum of Hartlepool, Hartlepool Art Gallery and Hartlepool Town Hall Theatre). Less than half were aware of the What's On guide. They wanted to see more variety of shows and events for under 18s.
- Views on Hartlepool's beaches were fairly positive, particularly the beach at Seaton Carew. Viewpoint members would like to attend concerts, family fun days and car boot sales but currently tended to use the beaches for walking.
- Viewpoint Members did not see the Olympics as an incentive to adopt a healthier lifestyle. There was a lot of interest in water based activities. A one year countdown event had taken place which had been very well attended.

Feedback on the following topics previously discussed in Viewpoints 29-32 was also detailed within the report:

- Council meetings
- Transport
- Recycling and kerbside collections
- A new nuclear power station for Hartlepool
- Help yourself to Council services
- The Internet and you
- Awareness of benefits

The Portfolio Holder queried whether Executive members were informed of

any results pertaining to their portfolio. The Assistant Chief Executive advised that information was forwarded to the officers who had requested the survey. It was then up to them to disseminate the information to the Portfolio Holders. Checks could be made to ensure this was happening. The Portfolio Holder suggested Portfolio Holders and Councillors be engaged in setting the framework of what questions were asked in the future. The Assistant Chief Executive indicated that a simple way to do this could be worked out.

In terms of previous results on Council meetings the Portfolio Holder queried whether more emphasis could be given to advertising which issues would be discussed at portfolio meetings rather than just giving the date and time. The Assistant Chief Executive queried how officers would choose which decisions to highlight and expressed concern that the public relations office did not routinely publicise meetings. The Portfolio Holder acknowledged this but felt that the Council had a responsibility to ensure the public knew which issues were being discussed and maximise public attendance. The public regularly attended scrutiny meetings and the Portfolio Holder would like them to attend executive meetings in order to see democracy in action. He also noted the increase in internet usage in Hartlepool homes, indicating that this pointed to the increasing need for the Council to embrace such technology in the delivery of services.

The Assistant Chief Executive advised that the next Viewpoint survey had been delayed due to an increase in departments wishing to be included.

### **Decision**

That the results of the survey be noted

## **16. Single Status Agreement Appeals** (*Chief Customer and Workforce Services Officer*)

### **Type of decision**

Non-Key

### **Purpose of report**

To provide an update on progress on appeals received and obtain ratification of Appeals Panel outcomes in respect of High, Medium, Low and Very Low Priority Appeals.

### **Issue(s) for consideration by Portfolio Holder**

The report provided a background to the Appeals Procedure together with an update on the progress of appeals received and requested ratification of Appeals Panel outcomes in respect of High, Medium, Low and Very Low Priority Appeals. Details of the outcomes of individual appeals were included in a confidential appendix to the report (**This item contains exempt information under Schedule 12A Local Government Act 1972, namely information relating to a particular employee, former employee or**

### **applicant to become an employee of the Council)**

The Portfolio Holder was pleased to note that progress was on target and highlighted the importance of ensuring that future targets were met. He queried how an appeal could result in an employee being put into a higher band and yet there be no financial cost to the authority. The Chief Customer and Workforce Services Officer advised that was due to the timing and was a result of substantive grades having changed due to management structure reviews. The Portfolio Holder highlighted issues raised on one of the appeal results by the Trade Unions and asked if his ratification would affect any investigation. The Chief Customer and Workforce Services Officer advised that this was a complex query and asked that the Portfolio Holder ratify the appeal outcome as set out in the appendix. Any back payments due as a result of resolving the issue can be authorised under Officer delegations.

#### **Decision**

That the progress made be noted and the Appeals Panel Outcomes in respect of Council employees (as detailed in the confidential appendix) and the new Appeals Procedure be ratified.

## **17. Equality and Diversity Update** *(Chief Customer and Workforce Services Officer)*

#### **Type of decision**

Non-Key

#### **Purpose of report**

To provide the Portfolio Holder with an update on the actions that are being undertaken to ensure that the Council meets the requirements of the Equality Act 2010.

#### **Issue(s) for consideration by Portfolio Holder**

The report provided updated information on the actions being undertaken to ensure the Council meets the requirements of the Equality Act 2010. Previously a cross departmental working group led by the Chief Customer and Workforce Services Officers had considered the Equality Act in detail and drawn up a high-level action plan to ensure the requirements were met. A copy of the action plan, including updates on progress, was appended to the report.

The Portfolio Holder referred to undertakings which had been made during the previous budget cuts that diversity would remain a priority. The Chief Customer and Workforce Services Officer advised that the main obstacle to this had been engagement with community groups who were dissatisfied that the Diversity Officer post had been deleted. These groups were split in terms of future engagement with the Council with some opting for

integration with other groups. The Assistant Chief Executive reported that a mapping exercise had been undertaken as part of the corporate review. This enabled officers to see which groups were no longer needed and which were duplicates of existing groups. Approaches had also been made to other local authorities for examples of best practice solutions.

The Portfolio Holder commented that there was no reference within the action plan to aspects of the engagement strategy moving to neighbourhood management. The Assistant Chief Executive indicated that the Neighbourhood Managers were just one conduit between the Council and community groups and in some cases a more appropriate officer would meet with these groups.

**Decision**

That the progress be noted and the action plan endorsed.

**18. Employee Attendance 2011/12 – 1<sup>st</sup> Quarter** (*Chief Customer and Workforce Services Officer*)

**Type of decision**

Non-Key

**Purpose of report**

To update the Portfolio Holder on sickness absence management performance up to the first quarter of 2011/12 and actions taken across the Council.

**Issue(s) for consideration by Portfolio Holder**

The report provided details of employee sickness absence for the first quarter of 2011/12 and actions taken across the Council to achieve this. The Portfolio Holder was informed that up until the end of June 2011 figures were slightly above the 8.8 days absence per whole time equivalent employee target at 8.87 days. There had been continuous improvement since 2006.

Councillor Simmons queried progress on completion of the return to work interview. The Chief Customer and Workforce Services Officer acknowledged the importance of these and confirmed that procedures were in place to highlight if they were not being completed. The Portfolio Holder requested the views of the Chief Customer and Workforce Services Officer on more punitive measures. She advised that there were certain triggers to stimulate actions but these triggers could be reduced. The possibility of withdrawing or withholding pay increments could be considered and there was now a general awareness that sickness absence formed part of the redundancy criteria. The Portfolio Holder asked if the redundancy criteria could be amended to give this greater emphasis and was told that a report on this issue was due to come to the Portfolio Holder in due course. The Portfolio Holder commented that he supported employees and their well being but unacceptable sickness absence must be addressed

**Decision**

That the report be noted.

**19. Local Government (Access to Information) (Variation) Order 2006**

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 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 20 - Temporary Cover Arrangements – Child and Adult Services Department - This item contained exempt information under Schedule 12A Local Government Act 1972, namely, information relating to any individual

**20. Temporary Cover Arrangements – Child and Adult Services Department** (*Chief Customer and Workforce Services Officer*) This item contained exempt information under Schedule 12A Local Government Act 1972, namely information relating to any individual (para 1)

**Type of decision**

Non-Key

**Purpose of report**

To seek Portfolio Holder approval for proposed arrangements to cover the duties of the Director of Child and Adult Services following her appointment to the post of Acting Chief Executive.

**Issue(s) for consideration by Portfolio Holder**

The report provided proposals for the Portfolio Holder to consider regarding arrangements to cover the duties of the Director of Child and Adult Services for a temporary period.

**Decision**

That the arrangements for covering the duties of the Director of Child and Adult Services be agreed.

**21. Cabinet Reshuffle**

The Portfolio Holder highlighted that this was his last meeting as Performance Portfolio Holder. He thanked the Assistant Chief Executive and Chief Customer and Workforce Services Officer for all their help during his tenure and asked that they pass his comments on to their staff. Councillor Thompson commented that she looked forward to working with the officers in the future.



The meeting concluded at 5:15pm

**P J DEVLIN**

**CHIEF SOLICITOR**

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