

# Public Document Pack

## MINUTES

### FINANCE AND RESOURCES OVERVIEW AND SCRUTINY

8 NOVEMBER 2016

**Present:**

**Members:**

**Councillors:** Howard  
Herbert Chapman (Chair)  
Douris (Vice-Chairman)  
Birnie  
Clark  
E Collins  
Silwal  
Taylor  
Gbola Adeleke  
Guest

<b>Officers:</b>	Chris Baker	Group Manager - Revenues, Benefits & Fraud
	Richard Baker	Group Manager - Financial Services
	Mark Brookes	Solicitor to the Council and Monitoring Officer
	Elliott Brooks	Assistant Director - Housing
	Nicholas Brown	Group Manager - Commercial Assets & Property Development
	James Deane	Corporate Director - Finance and Operations
	Ben Hosier	Group Manager - Commissioning, Procurement & Compliance
	Matt Rawdon	Group Manager - People
	David Skinner	Assistant Director - Finance & Resources
	Robert Smyth	Assistant Director – Performance & Projects
	Ben Trueman	Group Manager – Technology & Digital Transformation
	Jim Doyle	Group Manager – Democratic Services
	Kayley Johnston	Member Support Officer (Minutes)

**Public Participation:**

Wendy Conian  
John Higgins

The meeting began at 7.30 pm

The minutes of the Finance and Resources Overview and Scrutiny Committee meeting held on 6 September 2016 were agreed by the Members present and signed by the Chairman.

**49**                    **APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillor Tindall and Councillor Elliot.

**50**                    **DECLARATIONS OF INTEREST**

None

**51**                    **PUBLIC PARTICIPATION**

Wendy Conian and John Higgins.  
Wendy Conian spoke on item 11. See details in minutes.

**52**                    **CONSIDERATION OF ANY MATTER REFERRED TO THE  
COMMITTEE IN RELATION TO CALL-IN**

None

**53**                    **BERKHAMSTED MULTI-STORY CAR PARK PETITION REVIEW**

It was moved by the Chairman that Item 11, Berkhamsted multi-story car park petition review would be the next item on the agenda and this was agreed by Members.

Wendy Conian was given an opportunity by the Chairman to express her concerns.

I'm Wendy Conian, the petition organiser.

I requested this review because I didn't think the Council had fully engaged with or meaningfully responded to the requests contained within the petition. Nor did I think the Council had complied with the terms of its own petition scheme.

Elliott Brooks' report finds that the Council did comply with its scheme and acted appropriately.

I disagree with his findings and could provide a detailed commentary on his report but feel there is little point rehearsing those disagreements here, as I think it highly likely you will accept his recommendation.

Notwithstanding this, I want to say that if I had written this report to you my recommendations would have been:

- If you have a process, comply with it – work within the designated time frames, be clear about the roles and responsibilities of those tasked with enacting the policy, communicate these things to the person bringing the petition or complaint or whatever it is.
- Don't make it incumbent on the petition organiser to be the one continually chasing progress and pushing the process along.

- The scheme provides for early resolution of the petition concerns through discussion – use that provision and...
- Try actually talking to the people raising the concerns. Instead of putting obstacles in the way to dialogue, instead of expending your energy in shutting down discussion and creating intimidating and alienating processes, why not find ways to establish meaningful dialogue. You never know, it might result in something positive and better solutions to some of the challenges our communities face.

If your purpose in the petition scheme is to allow communities to make representations to the Council about important issues and fully and productively engage with them in discussion of those issues, then I believe you are failing. If it is an exercise in ticking boxes to somehow being seen to demonstrate engagement with the community, maybe you are doing that, albeit even then not very well.

Even if one accepts Mr Brooks' analysis that the Council complied with its scheme, I would say that that compliance has merely been with the 'letter of the law', not at all with its spirit. You may possibly have ticked your boxes, but you have not seen fit to engage in good faith with the community who had and still have huge concerns about your plans to build this car park in their town.

The petition was a measure of last resort by a community who desperately wanted to talk about this issue but had been stonewalled time and again from doing so.

We were treated as supplicants to the Council, not as citizens with an intelligent interest and concern about plans which will affect our community and with serious reservations about the value we will be getting as taxpayers from this misguided project. You could have agreed to meet with representatives to explore the basis of these concerns, to truly understand them and seek to find alternatives that could have been agreeable to all parties.

You may have come to the same conclusion to press ahead with the plans but at least the community would have felt that a genuine attempt had been made to take seriously their concerns.

In conclusion, as a taxpayer and citizen, I think you need to do better.

Cllr Chapman said he will take into consideration Wendy Conian's comments. A balanced decision is made and we now need to listen to the Officers.

Wendy Conian and John Higgins were asked to leave the table by the Chairman.

E Brooks, looking at this as an independent person, explained his findings and recommendations which are included in the report. The petition scheme recognises the importance of giving residents an opportunity to communicate their concerns about issues in their local area and as such it supports all of the Council's corporate objectives.

E Brooks gave clarity that the purposes of the findings were to review how they dealt with the participation.

The report was centred on 2 issues and that the recommendations are that DBC complied but there were issues on communication, however it was clear who they were and should communicate too.

Cllr Chapman asked E Brooks if he was satisfied that the issues raised by the participant.

E Brooks confirmed that he was satisfied.

The Chairman reiterated that the argument was debated at Full Council and we are here to discuss the findings. Cllr Chapman asked if DBC should consider this further "has it been adequately dealt with"

E Brooks explained that all issues raised have been covered and he was satisfied, DBC do not need to consider this further.

Cllr Douris added that he felt it was unreasonable for the organiser to chase officers. In the terms is there evidence to support the contention.

E Brooks said yes, the time scales weren't kept to. In terms of the organiser chasing There is a 2 way conversation, the dialog was appropriate. This is acknowledged.

***Cllr Guest arrived at 7:50pm***

Cllr Douris asked if this caused damage to the petition.

E Brooks stated that his findings "didn't not show" any damage caused, it just caused frustration.

Cllr Harden asked why it allows the public to say they are not happy with the decision.

Cllr Chapman said that we are only here to discuss the process and not what happened at Full Council.

M Brookes stated that it was part of the national scheme, it's one of the steps in the scheme and "its gives" the public the right to challenge the process and it enables us to ensure that DBC have followed the process correctly.

Cllr Chapman asked Members if they agreed with the recommendations on page 69. All Members agreed to the recommendations "except Cllr Guest" who reserved the right to comment as she came in late.

**Actions:** None

**Outcome:** The report was noted.

**54**                      **Q2 FORECAST FINANCIAL OUTTURN REPORT 2015/16**

D Skinner introduced the report giving details on the projected outturn for 2016/17. He highlighted the positive trends and elaborated on the pressure with repairs and maintenance.

***D Skinner was happy to take questions on the report.***

Cllr Douris referred to 4.2 pages 7 of 99 1<sup>st</sup> paragraph, stating that he had seen this information before so asked why information was being repeated, and is it being acted on.

D Skinner confirmed that they had the same pressures as before, options are being looked at and they are working on different options.

J Deane added to that, they currently have a plan, the forecast is that it's not going to get worse but there not currently gear up to do it.

Cllr Chapman referred to page 7 4.2, seventy thousand on waste services what's the increase.

J Deane said that the pot is distributed there is no clear answer to that. Ours improved therefore some of the other districts lose out on money.

Cllr Chapman referred to paragraph 2 on 7.2.

R Baker stated that this is now the end of it.

Cllr Adeleke referred to 4.1, the pressure of fifty thousand, are they new roads where we invest it? And were they not taken into consideration?

J Deane believes that the wording is misleading, there not new roads, they can't get big truck up these roads.

Actions: None

Outcome: The report was noted.

## **55                    Q2 PERFORMANCE & OPERATIONAL RISK REGISTER REPORTS - LEGAL GOVERNANCE AND DEMOCRATIC SERVICES**

Cllr Harden introduced the report explaining there are a few updates in the report.

M Brookes highlighted that there were a lot of "activates in Court" which are set out in the report. The Electoral Registration Team has been running their annual canvas which has had a high response and is going to plan.

***M Brookes was happy to take questions on the report.***

Cllr Chapman referred to page 20 there has been lots of success in Court; were there any items that we weren't successful on?

M Brookes said there is nothing to report, we are successful in all because all cases are fully assessed carefully before they go to Court.

Actions: None

Outcome: Report was noted.

## **56                    Q2 PERFORMANCE & OPERATIONAL RISK REGISTER REPORTS - FINANCE & RESOURCES**

The report was introduced by D Skinner highlighting the following.

The green indicators, the majority of the amber indicators are being covered by the finance forecast outturn. The success of the revenues benefits team in terms of achieving targets. This year there has been a significant improvement. The risk score has gone down from 5 to 4 in terms of slippage.

***D Skinner was happy to take questions on the report.***

Cllr Douris referred to page 27 he had difficulty in reading this, it's small and faint. He asked if this can be taken on board for future.

Cllr Harden stated that the KPI's are normally done on a larger sheet so it's a case of trying to fit all the information on, he understands but is not sure how this can be adapted but he will take it on board.

J Doyle confirmed that his understanding was that it's a PDF created in corvu.

Actions: R Smyth to look at the corvu reports on changing the format.

Outcome: The report was noted.

## **57**                    **Q2 PERFORMANCE & OPERATIONAL RISK REGISTER REPORTS - PERFORMANCE & PROJECTS**

Cllr Harden introduced the report stating that all was positive and green except one amber on sickness, the report will follow later this evening.

***M Rawdon, R Smyth and Ben Trueman are happy to take questions on the report.***

Cllr Douris stated that it's very frustrating having lack of consistency, previously there were trend arrows on this report we don't have trend arrows. Can we please have consistency so we know where we are going?

R Smyth confirmed he will ensure all reports have the same format.

Actions: R Smyth to ensure all reports have the same format.

Outcome: The report was noted.

## **58**                    **SICKNESS PROJECT UPDATE**

Cllr Harden introduced the report updating the committee on sickness. Last financial year there has been a long term and short term issue with sickness and the presentation explains what we are doing to address this.

M Rawdon gave a presentation giving an overview of what the corporate sickness project is doing to address sickness and the positive impact this has made so far. The sickness statistics after 7 months is the lowest sickness statistics for many years.

***M Rawdon was happy to take questions on the report.***

Cllr Taylor, has this new approach to managing sickness been included into sickness procedure?

M Rawdon said yes, the sickness policy and procedure was approved in April 2016 and this enables the option to fast track cases to a sickness capability hearing if the manager has concerns over staff attendance.

J Deane said this gives managers more discretion that they previously had we and this is why we are seeing lots of results.

Cllr Taylor wanted to ensure we were protecting DBC by having the new process and whether Legal had approved it?

M Rawdon said absolutely, at the time of drafting Steve Baker was heavily involved and we ensured that he and his legal team supported the approach.

Cllr Adeleke said that you state there are no successful appeals, how many did we have last year and this year.

M Rawdon couldn't give figures off the top of his head, in terms of dismissal appeals we had one, which went to members and it wasn't upheld.

Cllr Adeleke said with Cupid Green you have identified some serious cases where attendance was particularly poor, what measures have you taken? The chart also shows in June, without being specific are these down to constant individuals or general across the board.

M Rawdon stated that it's an average figure so individuals will affect the overall figure and with Cupid Green they are being treated the same as everyone else. The monthly sickness report incorporates every member of staff off sick, and then the sickness scrutiny panel analyses each case looking at overall sickness records and concerning trends.

Cllr Adeleke asked if it included agency staff.

J Deane stated it doesn't include agency staff. We have noticed a reduction of agency staff as a result of this project.

Cllr Fethney said that medical democratic like this is quite crucial he knows that around July time there were strains due to the flu virus. His suggestion is that if you talk to Public Health and they can warn you when things like this are going to happen.

Cllr Harden added that this is a valued point and that M Rawdon's Team have a good working relationship with Public Health and they will look at getting data.

E Collins asked the question if people have to notify their employer of their absence and provide an explanation.

M Rawdon said that they have had cases where people didn't want to reveal the nature. We can't force someone but we would ask someone why they felt the need to decline it. The more we know the more we can support individuals. The individuals will also be speaking to a qualified nurse so they will get full medical support.

Cllr E Collins said that each individual's recovery time is different is this taken into consideration.

J Deane stated that all cases are looked at individually.

Cllr Birnie welcomed the report and asked where in terms of the graph you took your most recent average from.

J Deane said the average comes from the total amount of day's sickness after 7 months divided by the FTEs. At this point last year we are over 25% better off.

Cllr Birnie also added that the benefit of adding a new system is that you will always see beneficial improvements in the first year.

Cllr Harden asked to keep in mind the other way, you can also get spikes when you introduce a new procedure as people were under reporting, you could have people that were off sick that were protected by their managers in reporting that. We could introduce a new system and find that more people are off sick and ask the question how this happened, due to people being honest and reporting it.

Cllr Guest welcomes the report as sickness has been a long term issue. She asked is there is a difference between long term and short term sickness. Cupid Green, have you identified what the sickness is, is it occupational health related sickness and if so has there been any health and safety put place to prevent it.

Cllr Chapman stated that in previous meetings with long term sickness and short term sickness they do get reports on this and that it's ongoing.

J Deane said in terms of are we seeing higher levels of Health and safety issues the answer is no. We have adopted the same approach at Cupid Green as all other areas, what we are seeing generally is that figures are down and is now in line with back office figure. Cupid Green sickness has been reduced by over 50%. The supervisors at the depot deserve a lot of credit for the way this project has been embraced.

Cllr Douris asked Cllr's to welcome the work that has been done up Cupid Green in achieving this.

Cllr Douris asked that when the employers talk to a nurse is that confidential. He was intrigued by the last slide that there may be some under reporting.

M Rawdon replied that the nurses ask the question if it's ok for their managers to be informed, employers can either say yes or no. So the nurse will know but not the employer. The sickness scrutiny panel look at all cases and only a few are kept anonymous. But if staff does not give a reason we would be asking why they considered this approach, as it makes it more difficult for us to support them



J Deane looking at a team of 30 if they have 1 day off over a quarter that looks suspicious, they would have more than that. However there are some areas that the reporting isn't as full as it should be. Cllr Silwal asked how we are compared to other boroughs.

M Rawdon said we only have the Public Sector average across England which on average of around 9 days per FTEs, Hertfordshire is similar.

Cllr Howard asked if someone had a mental health issue are they supported enough to keep them in work.

M Rawdon said there is lots of support for this. We have mental health first aiders, a confidential support phone line, stress and wellbeing policies, HSE stress surveys.

Cllr Chapman thanked the officers for a comprehensive report. The sickness project has made a massive difference and is a really positive step forward.

**Actions:** M Rawdon to get data from Public Health.

**Outcome:** The report was noted

## **59**                    **ACTION POINTS FROM PREVIOUS MEETINGS**

The have all been answered with the acceptance of the last one from Dave Skinner

*D Skinner to confirm figure for total loss of contracts in commercial waste services (paragraph 7.2).*

## **60**                    **FORWARD PLAN**

The Meeting ended at 9.03 pm

**FINANCE AND RESOURCES: Overview & Scrutiny Committees: Work Programmes 2016/17**

*Scrutiny making a positive difference: Member led and independent, Overview & Scrutiny Committee promote service improvements, influence policy development & hold Executive to account for the benefit of the Community of Dacorum.*

Date:	Report Deadline	Items:	Type:	Contact details:	Background Information
07 June 2016	26 May 2016	Action Points from previous meetings	SC	All Members to discuss	
		Q4 Performance & Operational Risk Register Reports	PM	M Brookes, Solicitor to the Council, Legal Governance R Smyth, Assistant Director – Project Governance – Residents & Regulatory Services D Skinner, Assistant Director- Finance & Resources M Housden, (Procurement officer)	
		Q4 Forecast Financial Outturn Report 2015/16	PM	R Baker, Group Manager – Financial Services	
Date:	Report Deadline	Items:	Type:	Contact details:	Background information
<u>21 July 2016</u>	<u>11 July 2016</u>	<u>Action Points from previous meetings</u>	<u>SC</u>	<u>All Members to discuss</u>	
				<b><u>MEETING CANCELLED</u></b>	
06Sept 2016	25 August 2016	Q1 Performance & Operational Risk Register Reports	PM	M Brookes, Solicitor to the Council, Legal Governance R Smyth, Assistant Director – Performance & Projects D Skinner, Assistant Director -Finance & Resources M Housden, (Procurement officer)	

**FINANCE AND RESOURCES: Overview & Scrutiny Committees: Work Programmes 2016/17**

***Scrutiny making a positive difference:** Member led and independent, Overview & Scrutiny Committee promote service improvements, influence policy development & hold Executive to account for the benefit of the Community of Dacorum.*

		Q1 Forecast Financial Outturn Report 2015/16	PM	R Baker, Group Manager – Financial Services	
		Action Points from previous meeting	SC	All Members to discuss	
Date:	Report Deadline	Items:	Type:	Contact details:	Background information
05 Oct 2016	22 September 2016	Action Points from previous meetings	SC	All Members to discuss  <b><u>MEETING CANCELLED</u></b>	
08 November 2016	27 October 2016	Q2 Performance & Operational Risk Register Reports	PM	M Brookes, Solicitor to the Council, Legal Governance R Smyth, Assistant Director – Performance & Projects D Skinner, Assistant Director - Finance & Resources	
		Q2 Forecast Financial Outturn Report 2015/16	PM	R Baker, Group Manager- Financial Services	Report may be late
		Action Points from previous meetings	SC	All Members to discuss	
		sickness project update - presentation		Matt Rawdon	
Date:	Report	Items:	Type:	Contact details:	Background

## FINANCE AND RESOURCES: Overview & Scrutiny Committees: Work Programmes 2016/17

**Scrutiny making a positive difference:** Member led and independent, Overview & Scrutiny Committee promote service improvements, influence policy development & hold Executive to account for the benefit of the Community of Dacorum.

Deadline		information			
06 Dec 2016 (Joint OSC)	24 November 2016	Budget 2016-17  <i>Ideally no further items to be added</i>		J Deane, Corporate Director - Finance & Operations D Skinner, Assistant Director – Finance & Resources	
		Action Points from previous meetings	SC	All Members to discuss	
10 Jan 2017	28 December 2016	Action Points from previous meetings	SC	All Members to discuss	
		Asset Management Strategy	PM	D Skinner. Assistant Director – Finance & Resources	
07 Feb 2017 (Joint OSC)	26 Jan 2017	Budget 2017 -18  <i>Ideally no further items to be added</i>	SC	J Deane, Corporate Director - Finance & Operations D Skinner, Assistant Director – Finance & Resources	
		Action Points from previous meetings	SC	All Members to discuss	

**FINANCE AND RESOURCES: Overview & Scrutiny Committees: Work Programmes 2016/17**

***Scrutiny making a positive difference:** Member led and independent, Overview & Scrutiny Committee promote service improvements, influence policy development & hold Executive to account for the benefit of the Community of Dacorum.*

Date:	Report Deadline	Items:	Type:	Contact details:	Background information
07 March 2017	23 Feb 2017	Q3 Performance & Operational Risk Register Reports	PM	M Brookes, Solicitor to the Council, Legal Governance R Smyth, Assistant Director – Performance & Projects D Skinner, Assistant Director - Finance & Resources	
		Q3 Forecast Financial Outturn Report 2017/18	PM	R Baker, Group Manager – Financial Services	<u>Put this item first on the agenda before the Quarterly Reports</u>
		Action Points from previous meetings	SC	All Members to discuss	