

PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE
17th December, 2010

Present:- Councillor Whelbourn (in the Chair); Councillors Austen, Gilding, J. Hamilton, License, G. A. Russell, P. A. Russell, Steele and Swift.

Also in attendance was Councillor Currie for item 101 below (Review of PE and Sport in Schools)

Apologies for absence were received from The Mayor (Councillor McNeely), Councillors Jack and Whysall.

93. DECLARATIONS OF INTEREST.

There were no declarations of interest made at this meeting.

94. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS.

There were no questions from members of the public or the press.

95. REQUIREMENT TO PUBLISH SPEND ABOVE £500

Further to Minute No. C97 of the meeting of Cabinet held on 3rd November, 2010, the Committee considered a report by the Strategic Director of Finance, which set out that as part of its Open Data Agenda, the Secretary of State for Communities and Local Government wrote to all local authorities in June, 2010 committing them to publish items of spending over £500 including tenders, contracts and actual payments by January, 2011. The Government had also recently announced its intention to publish certain information on salaries by this date. This report did not consider this aspect of the open data agenda which was being considered by Strategic HR and RBT HR/Payroll.

A previous report to the Strategic Leadership Team indicated the intention of publishing the Council's actual payments greater than £500 using internal resources. Subsequent to that report, further regulatory guidance had been released and there had been an opportunity to meet with a specialist, external data analyst, Spikes Cavell, who currently provided the Council with data analyst services for the procurement activity. This report, therefore, considered the potential business benefits and mitigation of adverse risks that could be achieved by using Spikes Cavell, to process and publish spend data via their 'Spot Light on Spend' website.

Further information was provided on Spikes Cavell Ltd and on the publishing of supplementary information.

The annual cost of working with Spikes Cavell would be £8,310 for the provision of the Contracts Module and the provision of monthly spend data (£500) that would be published on the website. It was understood that the Yorkshire and Humber RIEP was now expected to provide funding to Local Authorities to undertake such spend analysis using Spikes Cavell. The company had confirmed that a refund or credit for any sum paid prior to funding being received would be returned to the Council.

The use of Spikes Cavell in processing and publishing contract and spend data would help to mitigate the risk that the Council did not fully meet the evolving open data agenda and publicised data that breached data protection legislation.

Stuart Booth, Director of Central Finance, gave a presentation which covered:-

- Why the need to publish?
- What needs to be published?
- Rotherham's plan and timeline
- Communication with the public
- Spotlight on spend publication
- Spend with supplier
- Data download format

Discussion and a question and answer session ensued and the following issues were covered:-

- work done by Spikes Cavell
- number of transactions above £500
- need for a counter mechanism to identify 'hits' on the site
- assistance available for any interested parish councils
- data security
- costs to the Authority
- potential for capturing information regarding shared/joint services

Resolved:- That the information and resolutions set out at Minute No. C97 of Cabinet held on 3rd November, 2010 be noted.

96. PAYMENT OF INVOICES WITHIN THIRTY DAYS - FORMER BVPI 8

Sarah McCall, Performance Officer, presented the submitted report setting out details of the former Best Value Performance Indicator 8 which measured the payment of undisputed invoices within 30 days. The Council had agreed an average annual target of 96% for performance of BVPI8 for 2010/11.

Outturn performance for recent years had achieved:-

2006/07	91%
2007/08	94%
2008/09	92%
2009/10	94.65%

Performance against BVPI8 was not as consistent as it should be and it had been recognised that the Council should act to instil and embed good practice in this area and work was ongoing to that effect.

Recent performance for the new financial year had achieved:-

April	98.15%
May	96.90%
June	94.87%
July	94.84%
August	94.21%
September	94.47%
October	93.12%
November	95.55%

If the Council under performed on BVPI8 then this may have an effect on our CPA score. Vulnerable smaller suppliers may also experience financial difficulties due to delayed payment which goes against our commitment to the SME Friendly Concordat.

Making late payments to suppliers could damage relationships between the Council and suppliers and could potentially cause cash flow difficulties for suppliers, dependant on invoice values and suppliers' turnover. It was possible that late payments could result in suppliers putting our account 'on stop' which could cause delays to Council projects. Ultimately late payment could result in the matter being referred to court.

Resolved:- That the current position in respect of BVPI8 be noted.

97. PROCUREMENT STRATEGY ACTION PLAN

Sarah McCall, Performance Officer, presented the submitted report setting out details of the purpose of the Procurement Strategy which was to set out how the Council intended to procure its goods, works and services in order to support the Authority's overall aims and objectives over the life span of the Strategy. It outlined the Council's current position and clearly pointed to areas where we needed to improve, with a supporting action plan to deliver those areas. The action plan would be managed by the Council's Procurement Panel,

The Strategy was aligned with the Council's Corporate Commissioning Framework which examined how the Council could strategically pull together all commissioning activity to ensure maximum gain from any efficiencies that may be generated.

If the actions in the above plan were not met the refreshed Corporate Procurement Strategy may not be fully implemented and embedded across the Council which could impact on the Council's ability to evidence value for money.

Discussion and a question and answer session ensued and the following issues were covered:-

- potential for the red rated equality and diversity issues to impact adversely on the Council's excellent equalities standard
- Democratic Renewal Scrutiny Panel to look at the issue of conducting equality and diversity audits on two key supplier per year
- progress meeting regarding use of Fairtrade products in all Council owned cafes

Resolved:- That the current position in respect of the action plan be noted.

98. PROCUREMENT LOCAL PERFORMANCE INDICATORS

Sarah McCall, Performance Officer, presented the submitted report setting out details of the local indicators developed in 2007 to measure the Council's procurement function in terms of delivery of the Procurement Strategy and day-to-day management of the procurement function. The suite of indicators was updated in 2009 to ensure effective monitoring.

The report set out details of the indicators, targets and performance for quarter two of the financial year 2010/11.

Performance against these LPIs would reflect how the Corporate Procurement Strategy was being implemented and embedded across the Council which could impact on the Council's ability to evidence value for money.

Resolved:- That current performance be noted.

99. RBT QUARTER 2 PERFORMANCE

Mark Gannon, Transformation and Strategic Partnerships Manager, presented the submitted report summarising the performance of RBT against contractual measures for July, August and September, 2010 and key areas of work for the year 2010/11 across the areas of Customer Access, Human Resources and Payroll, ICT, Procurement and Revenues and Benefits.

Discussion and a question and answer session ensued and the following issues were covered:-

- extending payment options
- avoidable contact Siebel enhancement
- academies
- network migration costs/savings
- Mod.gov
- IT equipment, Town Hall

Resolved:- (1) That RBT's performance against contractual measures for July, August and September, 2010 be noted.

(2) That the Member Training and Development Panel be provided with an update on Mod.gov.

(3) That the Chairs and Vice-Chairs of scrutiny panels consider having an item on their respective panel agendas regarding IT equipment in the Town Hall including a demonstration on the use of laptops.

100. LOCAL GOVERNMENT REFORM IMPLEMENTATION PLAN - UPDATE ON IMPLICATIONS OF GOVERNMENT POLICY

Further to Minute No. 39 of the meeting of this Committee held on 23rd July, 2010, Steve Eling, Principal Policy Officer (Parliamentary Analysis) presented the submitted report providing an update following key policy announcements, the comprehensive spending review and business plans and the emerging legislative framework.

The Council's Local Government Reform Implementation Plan had been developed further and aligned to the themes of the Council's Corporate Plan. This enabled the Council to identify issues arising from the Council's priorities from specific Government policy implementation.

The report set out, at headline level, the most important Government policy announcements and papers to date, together with planned announcements aligned to the Council's following priorities:-

- Making sure no community is left behind
- Providing quality education, ensuring people have opportunities to improve skills, learn and get a job
- Ensuring care and protection are available for those people who need it most
- Helping to create safe and healthy communities
- Improving the environment
- Outside of priorities of priority themes

Discussion and a question and answer session ensued and the following issues were covered:-

- briefing for Members
- special briefing on the Localism Bill
- requirements for an elected Mayor
- planning changes

- requirement for a Standards Committee
- viability of returning to the 'committee' system
- business rates
- petitions
- scrutiny arrangements

Resolved:- (1) That the information be noted.

(2) That the policy implications and risks associated with the development and implementation of the new Government policy be noted.

(3) That further reports be submitted as appropriate on policy developments and implementation, including relevant legislation.

101. REVIEW OF PE AND SPORT IN SCHOOLS

Councillor Currie presented the submitted report which set out the findings and recommendations of the scrutiny review of P.E. and Sport in Schools.

The subsequent change of Government in May, 2010 had meant a fundamental shift in policy around sport in school at national level and recent announcements would enforce changes to the way in which school sports partnerships were funded if they were to survive. As a result the review group had reconvened to revise its original recommendations.

The background to, and rationale for, the review was outlined along with the changes resulting in the revised recommendations.

Also submitted was a draft business plan template with regard to the maintenance of school sport partnerships in Rotherham.

The Committee welcomed Paul Harper and Matt Wainwright from the Wickersley and Rawmarsh School Sports Partnerships respectively who gave a presentation which covered:-

- Schools Sports Partnership
- The Rotherham Offer
 - Structure
 - Strategies
 - Wide Range
 - High Engagement
- Inter School Festival Activity

- 3 Questions
 - What opportunities
 - To what extent
 - What can we do to support any school not engaged
- What will happen if school sports partnerships cease to exist
- Data : Primary Cluster, Secondary Schools Engagement, Overall Learning Community Engagement, Summative engagement description
- Roll of Honour Data
- Partnership Data

Discussion and a question and answer session ensued and the following issues were covered:-

- reduction in funding regime for school sports partnerships
- importance of timescale regarding budget considerations
- essential everyone engaged : schools, heads, governors, etc.
- essential to feed considerations into budget process
- need to publicise sport in schools e.g. UK School Games in Sheffield next year.

Resolved:- (1) That the information be noted.

(2) That the review report, together with the findings and revised recommendations, be forwarded to Cabinet with a view to action in the light of changes to the funding regime for school sports partnerships.

(3) That, in the light of the timescale given for funding cuts to be imposed (31st March, 2011) Cabinet be requested to respond urgently.

(4) That every effort be made to discuss this matter as part of the current budget process.

102. GOVERNMENT CONSULTATIONS

Further to Minute No. D56(3) of the meeting of this Committee held on 24th September, 2010, Cath Saltis, Head of Scrutiny, presented the submitted report regarding proposals for the development and management of responses to Government consultations.

The proposed process allowed for a differentiated approach which enabled a speedy response where timelines were short and which was proportionate to the strategic significance of the consultation.

Processes for dealing with strategic consultations and service specific consultations were outlined.

Resolved:- (1) That the information be noted.

(2) That a further report be prepared for approval by the Strategic Leadership Team and Cabinet aimed at establishing a formal process for consultation responses and ensuring that members were engaged appropriately and effectively.

(3) That the report include a schedule of a known forthcoming consultations identifying the appropriate leads and approach for approval.

103. MINUTES

Resolved:- That the minutes of the meeting held on 12th November, 2010 be approved as a correct record for signature by the Chairman.

104. WORK IN PROGRESS

Members of the Committee reported as follows:-

(a) Councillor G. A. Russell reported that the latest meeting of the Children and Young People's Services Scrutiny Panel had considered:-

- Teenage Pregnancy Strategy : Annual Report 2009
- Scrutiny Review : Personal, Social, Health and Economic Education (PSHE)
- Prevention and Early Intervention Strategy and Parenting Support Update
- Child Poverty Needs Assessment and Strategy

(b) Cath Saltis (on behalf of The Mayor, Councillor McNeely) reported the following issues which had been raised at the Sustainable Communities Scrutiny Panel:-

- need for workforce planning to ensure that when people leave the Authority, their knowledge is retained. Also to ensure continuity of business should someone be on holiday or absent through sickness etc.
- need for scrutiny panels to consider which performance indicators need to be retained and which may be desirable to add as our own
- need for scrutiny members to attend performance clinics

Resolved:- That scrutiny panels consider the performance indicator issue relating to their own service areas.

105. CALL-IN ISSUES

There were no formal call in requests.

106. SARAH MCCALL

The Chairman reported that this was to be Sarah's last meeting presenting performance reports.

The Committee placed on record its thanks to Sarah for her service to the Committee and wished her all the very best for the future.