

**PERFORMANCE AND SCRUTINY OVERVIEW COMMITTEE**  
**25th February, 2011**

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

Also in attendance for item 132 below was Councillor Wyatt (Cabinet Member for Resources and Commissioning)

An apology for absence was received from The Mayor (Councillor McNeely).

**127.       DECLARATIONS OF INTEREST.**

There were no declarations of interest made at this meeting.

**128.       QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS.**

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

**129.       CORPORATE RISK REGISTER**

Colin Earl, Director of Internal Audit and Governance, presented the submitted report which set out details of the current corporate risk register summary showing the risks associated with the Council's most significant priorities and projects and actions being taken to mitigate those risks.

It was noted that there were four red residual risks relating to delivery of the Children's Plan, Use of Resources for Children's Services, Social Care Commissioning and achievement of the Cultural Quarter aspirations. This had reduced from six residual red risks in the previous quarter's report, as positive progress relating to Children's Services (intervention) and capital investment in schools had improved risks in those areas from red to amber.

This version of the corporate risk register was reported to the Strategic Leadership Team and Audit Committee in mid-January and did not reflect the letter sent to the Council on 13th January, 2011 from the Minister confirming Children's Services were no longer in intervention. This development would be reflected fully in the next update of the risk register.

The report set out information relating to the latest position, changes since previous report, the corporate risks at a glance, risk assessments prior to mitigating actions and risk assessments after allowing for mitigating controls.

It was important to review the effectiveness of the approach to capturing, managing and reporting corporate risks on an ongoing basis, to ensure risks relating to the Council's key projects and priorities were effectively monitored and managed by the Strategic Leadership Team and Members.

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

- managing budget adjustments
- cultural quarter

- use of the document as a management tool to manage risk
- commissioning
- process leading to inclusion in the register
- need to scrutinise management's use of the risk register

Resolved:- (1) That the updated corporate risk register summary, attached at Appendix A to the report, be noted.

(2) That scrutiny chairs and advisers identify any issues which may need further consideration at their respective scrutiny panels.

### 130. PAYMENT OF INVOICES WITHIN THIRTY DAYS

Sarah McCall, Contracting 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%
December	94.47%
January	90.36%
Year to Date	94.69%

If the Council under performed on BVPI8 then this may have an effect on any Corporate Assessments. Vulnerable smaller suppliers may also experience financial difficulties due to delayed payment which went 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:- (1) That the current position in respect of BVPI8 be noted.

(2) That procurement champions only be required to attend and address this Committee should particular problems arise.

### **131. PROCUREMENT LOCAL PERFORMANCE INDICATORS**

Sarah McCall, Contracting 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 three 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.

### **132. PROCUREMENT STRATEGY ACTION PLAN REVIEW**

Sarah McCall, Contracting 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 strategically could pull together all commissioning activity to ensure maximum gain from any efficiencies that may be generated.

In light of the recent restructuring in the Council, the action plan was in the process of being reviewed to ensure that actions were still relevant and limited resources were focused on the Council's priorities.

Although former Best Value Performance Indicator 8 (BVPI8) was no longer a national indicator, the Council valued performance against the measure as it was important to pay suppliers promptly. However, in the light of recent restructures within the Council, it was proposed that, as the level of resources required to manage actively performance in this area were proportionately high, performance management be scaled down.

If the actions in the above plan were not met the refreshed Corporate Procurement Strategy may not be implemented fully 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:-

- deleted actions
  - VCS training to be provided for procurement officers
  - investigate whether we should use the carbon disclosure project as a way to measure and manage carbon in our supply chain
- staffing resource costs
- ensuring the use by default of Fairtrade products in all Council owned cafes
- BVPI8 exception reporting

Resolved: (1) That the current position in respect of the action plan be noted.

(2) That the proposals to scale back the level of management of BVPI8 (payment of invoices within thirty days), as now reported, be approved.

### **133. RBT QUARTER 3 PERFORMANCE**

Sarah McCall, Contracting Officer, presented the submitted report summarising the performance of RBT against contractual measures for October, November and December, 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:-

- Customer Access :
  - overall performance
  - externalisation of repairs and severe weather impacts
  - registration service
  - complaints
- Human Resources and Payroll :
  - server refresh
  - recruitment portal
  - shared services
  - achievements
- ICT :
  - Riverside House planning and server virtualisation
  - ICT for shared services
  - Government Connect reassessment
  - wireless networking and agile working

- support for members
  - electronic document records management system
- Procurement
  - Revenues and Benefits

Resolved:- That RBT's performance against contractual measures for October, November and December, 2010 be noted.

#### **134. HEALTHY LIVES, HEALTHY PEOPLE: PUBLIC HEALTH WHITE PAPER - CONSULTATION**

The Chairman, welcomed Alison Iliff, Public Health Specialist. Kate Taylor, Policy and Scrutiny Officer, presented the submitted report outlining the key proposals and consultation questions which the Government was seeking views on in relation to the Public Health White paper.

Also submitted were the questions and draft responses so far to two supporting documents referring to the commissioning and funding of public health services and the new outcomes framework.

The deadline for all consultation responses was 31st March, 2011.

The Committee considered all the consultation questions and draft responses in turn and the following issues were covered:-

- references to the requirements for the promotion of road safety and adequacy of resources to achieve
- ring fenced public health monies
- recruitment, retention, transferring of staff
- approaches to developing an allocation formula for ACRA to consider and need to ensure the group involved was not exclusively health professionals
- need to incorporate parish councils (same power of wellbeing) in considerations regarding the outcomes framework
- indicator D4.14 Health related quality of life for older people and whether this should be removed as an indicator
- holding budget holders to account and scrutiny arrangements

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

(2) That this Committee's views, as now discussed, be forwarded to inform the finalised response.

(3) That Miles Crompton be requested to provide information in response to the approach to developing an allocation formula.

(4) That any further comments be forwarded to Kate Taylor by the afternoon of Tuesday, 1st March, 2011.

### 135. GOVERNMENT CONSULTATIONS

Further to Minute No. D102 of the meeting of this Committee held on 17th December, 2010, Deborah Fellowes, Policy Manager, Commissioning, Policy and Performance, presented the submitted report proposing a way forward for dealing with forthcoming Government consultations.

Key principles outlined in the approach were :-

- Strategic and Council wide consultations to be considered by PSOC and Cabinet
- service specific consultations to be considered by the appropriate scrutiny panel and cabinet member
- timeframes allowing, the route would be via scheduled meetings
- where Government deadlines dictated a faster approach, a flexible approach would be required which would include the following options:
  - PSOC to be used for service specific consultations as it met more regularly
  - special meetings called to appraise responses
  - clearing responses via chairs of scrutiny panels and cabinet members
- PSOC to maintain an overview of the programmes of consultations, forward planned as much as possible

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

- feeding into the process on receipt of a consultation with the Corporate Policy Team acting as a conduit
- role of the LSP in potential joint response consultations

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

(2) That the Corporate Policy Team should be the first point of contact for incoming Government consultations.

(3) That the proposals now submitted be supported and referred to Cabinet for approval.

### 136. MINUTES

Resolved:- That the minutes of the meeting held on 11th February, 2011 be approved as a correct record for signature by the Chairman.

**137. WORK IN PROGRESS**

Members of the Committee reported as follows:-

(a) Councillor Jack reported that next week's meeting of the Adult Services and Health Scrutiny Panel would be considering the Public Health White Paper consultation and there would be a session for diabetes testing.

(b) Councillor Whysall reported that this week's meeting of the Regeneration Scrutiny Panel had been held at the Advanced Manufacturing Park with an excellent tour of the site.

(c) Councillor License reported that the latest meeting of the Children and Young People's Services Scrutiny Panel had considered:-

- CYPs Notice to Improve removal
- review of school closures due to extreme weather
- Key Stage 2 assessment results
- Key Stage 4 GCSE results

(d) Councillor Austen reported that the next meeting of the Democratic Renewal Scrutiny Panel was to be themed on community cohesion and equalities and diversity issues.

**138. CALL-IN ISSUES**

There were no formal call-in requests.